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ABSTRACT

This curriculum guide for a postsecondary legal assistant program is divided into five sections. Section 1 provides a brief overview of the growth of legal assistant programs. Section 2 discusses the primary factors the college president and other administrators should consider prior to the implementation of a legal assistant program. Topics included in section 2 are assessment of need for a program; facilities and equipment; library materials and structure; and selection of a director. Section 3, on implementing and maintaining the program, covers such topics as establishment of an effective advisory committee; program organization and structure; selection of faculty; admission of students; program maintenance and evaluation; and establishment of an effective placement program. Section 4 discusses the major instructional elements of the program, such as determination of basic objectives and course offerings, selection of textbooks and materials, descriptions of required courses, and other curricular concerns. Course outlines are found in section 5 for both required courses and career electives. The appendix contains a list of general course competencies in paralegalism, a list of demonstration college programs, and a list of contacts from related professional associations. (BM)

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A Suggested Two-Year Post-High School Curriculum

Legal Assistant Program

American Association of Community and Junior Colleges
One Dupont Circle, N.W.
Washington, D.C. 20036

CE 024 188

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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DEDICATION—This publication is dedicated to the late Kenneth G. Skaggs, American Association of Community and Junior Colleges, who directed the Paralegal Education Project from which this guide evolved. A member of the AACJC program staff since 1965, Mr. Skaggs died February 6, 1978, prior to completion of the final work on the project. Ken was responsible for leadership, for program design, and for contributing significantly to the content of the endeavor. He provided the necessary momentum during the four years in which the work was accomplished. Most of all, his appreciation and understanding of the needs to be met gave an added human dimension to the enterprise. For his contributions we are most grateful.

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FOREWORD

The need for legal assistants has increased substantially over the last few years as society has turned more and more frequently to the legal community for help in solving many of life's problems. Attorneys are finding that employment of legal assistants not only helps to support an increasing work load, but, may in fact help to lower costs to consumers in some instances.

Recognizing the interest in and growing demand for well-trained personnel, the Paralegal Education Project was created by the American Association of Community and Junior Colleges in March, 1974, with a contract from the U.S. Office of Education, Department of Health, Education and Welfare.* It was directed by the late Kenneth G. Skaggs. The primary purpose of the project was to develop, implement, and evaluate associate degree (two-year), certificate, and continuing education legal assistant programs at six community and junior colleges.

Evaluation of the programs at the demonstration sites was to be in terms of student mastery of techniques and skills. The curricula described in this publication are therefore skill-oriented and performance based.

Goals of the Project were to be accomplished in three phases:

Phase I	Exploration and Development (March 1974-September 1975)
Phase II	Implementation and Refinement of Programs (September 1975-September 1977)
Phase III	Evaluation (September 1977-March 1978)

In preparing the demonstration curricula and the examples presented, the project drew heavily on the experiences of existing programs. In addition, the project developed support and cooperation with various bar associations, legal education organizations, and institutions. Of particular help in sharing program development experiences were the National Federation of Paralegal Associations, the National Paralegal Institute, the Standing Committee on Legal Assistants of the American Bar Association, and other organizations concerned with legal assistant education.

During the exploration and development phase of the Project, a task force composed of legal assistant educators, legal assistants, and members of the bar, representing both public and private practice, constructed a list of core and basic skills common to most legal assistant roles. The list served as the basis for curriculum design at the six demonstration sites by providing a standard for a graduate's performance.

The Project emphasized flexibility in tailoring the basic skills list to each of the six communitys' need for legal assistants and to the differing resources of each community college. Cooperation with the demonstration colleges consisted of consultation in defining and marshaling necessary resources, and integrating basic skills into patterns of courses.

A national advisory committee monitored the Project, making suggestions and evaluating activities and results. Members are listed in the acknowledgements.

The final product of the project is this Guide for two-year colleges interested in starting legal assistant education programs or upgrading existing ones. The publication will also allow other institutions with ongoing programs to measure what they are doing against findings of the Project staff.

There is every reason to believe that this activity has contributed significantly to development of an important relatively new occupational field and, more importantly, to social betterment. Results will have long-range impact on the legal profession. The Association is glad to have had the opportunity to perform this service.

Edmund J. Gleazer, Jr., President
American Association of
Community and Junior Colleges

ACKNOWLEDGEMENTS

A curriculum guide is usually the work of many people. This publication is no exception. Several individuals devoted considerable time and energy to completing this publication. First, faculty members at all the six demonstration colleges provided almost all of the material. Robert J. LeClair, director of the legal assistant program at Kapiolani Community College in Honolulu, Hawaii, and Thomas D. McFarland, director of the legal assistant program at the University of Toledo Community and Technical College in Toledo, Ohio, prepared many sections of this publication and participated in a special editorial work session in April, 1978 to organize the final publication. Joining them in the special work session was Barbara M. Weatherly, director of paralegal studies at Wesley College in Dover, Delaware. Earlier, Lee J. Schapiro, former director of the legal assistant program at Arapahoe Community College in Littleton, Colorado, wrote several sections of the Guide. These four directors deserve special recognition for their willingness to assist throughout the project and especially when assistance was most needed.

Significant contributions were also made by Carl Horn, director of the paralegal education program, Northwest Mississippi Junior College, Senatobia, Miss., and Fred Ramey, Jr., director, division of business careers, Manchester Community College, Manchester, Conn.

Editing a curriculum guide is difficult work. The excellent editing for this publication was accomplished by William A. Harper, AACJC vice president for communications and Cheryl H. Cassidy, AACJC staff assistant.

Appreciation is also extended to William Berndt and Albert Riendeau at the United States Office of Education. As program officer and program monitor respectively, they were always available to provide assistance, counsel, and advice. Their patience and continued support were necessary and freely given during the final preparation of this publication.

Special thanks go to Dale Gaddy, director of the National School Board Academy, for preparing the original AACJC proposal and serving as chairman of the paralegal advisory committee. Other members of the advisory committee were: Mary Ader, The National Clearinghouse for Legal Services; Austin G. Anderson, special committee on paralegal assistant education at the American Bar Association; Robert B. Cormack, planning coordinator for paralegal assistant program, William Rainey Harper College; Mary Ellis, Technical Education Research Center; J. Carlton Fleming, Fleming, Robinson and Bradshaw Attorneys; William R. Fry, executive director, National Paralegal Institute; Carl Hamm, U.S. Department of Justice; John E. Jacoby, National Center for Prosecution Management; Jack D. Miller, coordinator of planning for paralegal assistant program, Mt. Hood Community College; James D. Pierce, coordinator of planning for paralegal assistant program, Meramac Community College; and Kenneth Pringle, special committee on legal assistants, American Bar Association.

Finally, appreciation is extended to Ruth Day, staff attorney, attorney general's office in Tallahassee, Florida. Ms. Day was research associate for the program during the initial phase when the outline of this publication was developed and her continued interest and counsel were helpful in preparing the final copy.

Richard E. Wilson
Vice President for Programs
American Association of Community
and Junior Colleges

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section I THE GROWTH OF LEGAL ASSISTANT PROGRAMS

Since the inception of the first formal training program in Philadelphia in 1969, many events have occurred to advance and professionalize legal assistants and legal assistant education. Two scholarly articles establishing the right of access to the courts and other dispute resolution mechanisms were written by Lester Brickman,[1] contributing importantly to progress. These articles suggest that the use of legal assistants is one of the most efficient ways to guarantee the individual's right of access to the legal services delivery system.

The American Bar Association (through its Standing Committee on Legal Assistants) has begun to accredit legal assistant programs. Most states, as well as the Federal Government, have established civil service classifications for legal assistants. Two national associations have been formed to represent legal assistants as independent professionals. The National Association of Legal Assistants has begun to certify legal assistants by examination. The vast majority of state and federal agencies have statutes or have promulgated regulations which allow legal assistants (or any non-lawyer) to appear on behalf of others and advocate cases for their "clients." Legal assistants have been hired by law firms, individual practitioners, corporate legal departments, utility companies, financial institutions, insurance companies, government agencies, unions, and hospitals. More than 240 legal assistant education programs have evolved. There are training programs that prepare legal assistants for private sector and for public sector work. Programs are for one and two years. Some offer degrees and some offer certificates. Some programs train specialists, and others train generalists.

The number of institutional formal training programs for legal assistants has grown from none in 1969 to more than 250 in 1977.[2] Some programs have been created without sufficient advance planning and resources resulting in difficulties in placing graduates and in gaining acceptance from the legal community. Successful programs, which have been carefully planned, financed, maintained, and supported with adequate institutional resources, have produced graduates who have been hired to work as legal assistants in a variety of capacities.

The purpose of this publication is to provide a plan for establishing and maintaining effective legal assistant programs. It should prove useful to institutions interested in establishing programs, and it should also be of assistance in evaluating and improving other programs.

1. Brickman, L., **Expansion of the Lawyering Process Through a New Delivery System: The Emergence and State of Legal Paraprofessionalism,** 71 Colum. Law Rev. 1153; **Of Arterial Passageways Through the Legal Process: The Right of Universal Access to the Courts and Lawyering Services,** 48 N.Y.U. Law Rev. 595.

2. A list of existing legal assistant programs is available from the American Bar Association Standing Committee on Legal Assistants, 1155 East Sixtieth Street, Chicago, Illinois 60637.

section II INITIAL CONSIDERATIONS FOR THE COLLEGE ADMINISTRATOR

This Section discusses the primary factors the college president and other administrators should consider thoroughly prior to the implementation of a Legal Assistant Program. Topics included are: assessment of need for a program; facilities and equipment; library materials and structure; and selection of a director.

ASSESSMENT OF NEED FOR A PROGRAM

Many legal assistant programs have been created without sufficient advance planning. These programs have experienced difficulty in placing graduates and in receiving acceptance from the legal community. Numerous problems may be avoided by a careful assessment of the need for a program prior to its implementation. This Section describes a process for determining whether a program is needed in the geographical area and whether the institution has the financial ability, physical facilities, and academic flexibility to fulfill whatever needs exist.

Informal Evaluation of Need

At least six months of intensive evaluation is required to determine whether a program is needed. Someone from the institution should be made primarily responsible for evaluation. The best approach is to arrange for evaluators to set up a series of interviews with a variety of people who can provide information on the need for legal assistants. The availability of experts in the legal assistant field will, of course, depend upon the stage of development of legal assistant work in the particular location. Informal person-to-person discussions should be generated among several categories of persons, such as other program directors, local attorneys, and legal assistants.

If other legal assistant programs exist within or near the geographical area, they should be visited. Program directors, administrators, and students should be interviewed. Of special importance is a careful analysis of whatever efforts they have made to determine needs before starting their programs. If the neighboring program has not been in existence long enough to have meaningful placement statistics, questions should be raised as to possible demand for graduates from an additional program.

Most legal assistant programs seek to place the vast majority of their graduates with attorneys in private practice. Therefore, local attorneys who have used legal assistants should be asked for information. They will be able to describe the traits that are important in their choice of legal assistants and whether they feel the legal profession will hire legal assistants who have been trained at the institution. Such attorneys may also provide a nucleus for a future advisory committee and/or faculty.

Perhaps the most vital sources of information are the employed legal assistants. It should always be remembered that many other persons will be very much in favor of the legal assistant concept and yet will not be in a position to accurately assess potential job needs. The employed legal assistants are probably the best source of information as to the present and potential job market. They will be able to explain their training and how they found employment. If there are no legal assistants available, it is possible that legal secretaries, who also often function as legal assistants, could provide useful insight into the local situation. Legal assistant associations should be contacted for their opinions as to the need for additional legal assistant programs and the job market for legal assistants.

Inquiry should be made to local schools to determine whether there are professors who are leaders in the legal assistant education field. Possible connections with the law school in the development of curriculum materials should be explored, and endorsement of the proposed program should be sought. Of particular interest is the law library facilities and whether this would be available to students for both individual and class use. It should be remembered, however, that the training for legal assistants is very different from that of law school, and therefore, not all law professors are successful as instructors in Legal Assistant Programs.

Inquiries should be made of both the state and local bar associations for their opinions and endorsements. A determination should be made as to whether a committee on legal assistants has been set up by the state or county bar. Support of the bar association can be critical in selling a program to attorneys. If the bar is unwilling to assess the need

for a legal assistant program, then the possibility of success is diminished.

Discussions should occur with judges to seek their endorsement of the need for a program. It should be kept in mind, however, that practicing attorneys rather than judges will be the primary employment source for graduates.

It is highly recommended that the institution engage outside consultants in the legal assistant field. These consultants preferably would be program directors from other institutions who can assist you in all phases of planning and implementing the program and can help avoid difficulties.

In determining the need for a legal assistant program, effort should be made to identify needs of particular area industries. If there is a strong concentration of government, the insurance industry, the real estate industry, labor unions, or social agencies, it would make sense to direct the program toward training legal assistants to work in these areas. If there is a large concentration of corporations, it would make sense to train personnel for corporate law. If there is a type of major specialization in the legal community, that should be taken into account as well.

Formal Evaluation

It is recommended that program organizers encourage the local bar association to form a special committee to help determine need and authorized to give a formal endorsement to the establishment of a program. Assisted by program staff, the bar committee should conduct a survey of practicing attorneys to determine whether they will hire legal assistants. It is suggested that an expert from the institution be recruited to set up the survey. This person will be able to determine how large the survey should be and to ensure that the survey results are reliable. Care should be taken in the survey to define particular tasks of legal assistants so that attorneys can respond more knowledgeably. Copies of survey reports already available should be reviewed.[1] Upon receiving responses from the attorneys, the expert should tabulate the results and report them to the bar committee. The committee can then make a formal endorsement of the need for the program, if the survey results are favorable.

Determination For Implementation

After completing the informal and formal evaluation of need, it must be decided whether to pursue the establishment of a program. Obviously, a program should not be started in the event that the survey results are not favorable. Even if favorable, the survey results should be weighed carefully. Experience has shown that it is much easier for an attorney to state on a questionnaire that he/she will hire two legal assistants than for the attorney in fact to do so later on.

Careful analysis of formal and informal evaluation results should occur before starting a program. Legal assistant programs require a specialized curriculum. Additionally, the programs require a specialized curriculum. Additionally, the programs are expensive and demand a substantial institutional investment to produce a quality program. A program should be implemented only when (a) the institution has the financial resources to support the program and has the academic flexibility required to implement a specialized curriculum: and (b) the informal and formal evaluation results clearly indicate that the legal community is convinced that it is needed.

Statement of Goals and Objectives

If a legal assistant program is to be established, a statement of program goals should be written in accordance with Section G-201B of the *Guidelines and Procedures for Obtaining Approval of Legal Assistant Education Programs.*[2] Then, procedural formalities by the institution should be completed and formal approval obtained. Care should be taken not to structure the program proposal so rigidly that the future director does not have flexility to design a workable program in cooperation with the advisory committee and others.

CHECKLIST FOR ASSESSMENT OF NEED

Informal Evaluation of Need

Have the following been consulted:

Other legal assistant programs in the area?
Practicing attorneys?
Practicing legal assistants, legal secretaries, and legal assistant associations?
Law schools?
State and local bar associations?
Judges?
Consultants?
Specialized Groups?

1. For example, a bar committee survey was taken in Hawaii and its results are available from the Legal Assistant Program, Kapiolani Community College, 620 Pensacola Street, Honolulu, HI 96814.

2. Copies of these Guidelines are available without charge from the American Bar Association Standing Committee on Legal Assistants, American Bar Association, 1155 East Sixtieth Street, Chicago, IL 60637.

Formal Evaluation

Has a local bar association special committee on legal assistants been established?
Has a thorough survey of practicing attorneys been conducted?

Determination for Implementation

Have the formal and informal evaluation results been analyzed and found favorable?
Have financial resources and academic flexibility of the institution been examined and found to be adequate?

Statement of Program Goals and Objectives

Has there been compliance with ABA Guideline G-201B?
Has sufficient flexibility for future development by the program director been preserved?

FACILITIES AND EQUIPMENT

One of the prime considerations in the decision-making process for starting a legal assistant program involves the proper selection and use of facilities and equipment. Obviously, the quantity and quality of resources needed will depend upon the size of the program to be instituted. The significant expense of these items should be considered in financial planning and in determining whether to begin a program.

Three ABA Guidelines are directly relevant to the subject of facilities and equipment. Guideline G-701 requires that "the physical facilities of the institution shall permit the accommodation of varying teaching methods and learning activities." Guideline G-702 requires that "space, equipment and other instructional aids should be sufficient for the number of students enrolled in the program." Guideline G-703 requires that the "faculty, administrative and other staff should have office and work areas suitable for performing their duties."

Classroom Facilities and Instructional Aids

The classrooms should be equipped with sufficient seating for the students. The chairs should allow for flexible seating arrangements for alternatives to the lecture — such as video taping of interviewing and counseling, mock hearing situations, panel discussions, and group presentations. The instructors should have readily available various instructional aids including blackboards, overhead projectors, motion picture projectors, video tape equipment and cassette recorders. Maintenance for equipment should be easily obtainable. Small seminar rooms should be available with seating arranged around a table to provide for greater group interaction.

Student Facilities

In addition to adequate classrooms, students need additional facilities. These include a student lounge, a place to conduct workshops, library space, and an adequate study area. There should be a distribution center where students may obtain course materials. Often the needs of the legal assistant program can be integrated within existing facilities of the institution. However, the institution must be willing to operate during evening hours since such hours will be more appealing to many students.

Offices and Equipment

Full-time and part-time faculty should be provided with office space sufficient for counseling students and for preparing for courses. Part-time faculty who are practicing attorneys often prefer to use their own law offices for course preparation. However, efforts should be made to encourage part-time faculty to hold student/faculty contact hours on the campus. Small conference facilities should be available to the director and other staff. There should be sufficient space for clerical staff, physically located in space near that of the director and part-time faculty. Secretarial staff will need space for assembling materials, due to the large amount of locally prepared materials in each program. There should be adequate storage space for duplicated materials and for supplies.

The offices for faculty and staff should be well equipped with dictating and transcribing equipment, typewriters, photocopy and mimeograph machines, file cabinets, book cases, and telephones. Many institutions have experienced a high part-time faculty turnover rate due partially to inadequate facilities and equipment. Practicing attorneys are professionals who are accustomed to having high quality equipment and office space. The institution desiring to attract and maintain competent faculty must be willing to make the necessary expenditures for equipment and office space.

CHECKLIST FOR FACILITIES AND EQUIPMENT

General Considerations

Have the requirements of Guidelines G-701, G-702, and G-703 been reviewed? Have sufficient quantities of all items to meet the needs of the

size program been established, been ordered? Has fiscal planning included future additions of of facilities and equipment, including replacement?

Classroom Facilities and Instructional Aids

Are classrooms each equipped with sufficient seating?
Does the student seating allow for flexible seating arrangements for alternative teaching presentations?
Are there sufficient instructional aids including blackboards, overhead projectors, video tape equipment and cassette recorders?
Is maintenance available for the equipment?
Are small seminar rooms available?

Student Facilities

Is there a student lounge?
Is there a place to conduct workshops?
Is there adequate library space?
Is there an adequate study area for the students?
Are the student facilities available to evening students?
Is there a distribution center for student materials?

Offices and Equipment

Have part-time faculty been provided with sufficient office space?
Does the director have access to a conference room for small meetings?
Is there sufficient room for office staff and are these offices conveniently located near the director and part-time faculty offices?
Is there sufficient space for assembling materials and for storing duplicated materials and supplies?
Is there sufficient equipment for faculty and staff, including dictating and transcribing equipment, typewriters, photocopy and mimeograph machines, file cabinets, book cases, and telephones?

LIBRARY MATERIALS AND STRUCTURE

ABA Guidelines

ABA Guideline G-601 sets forth considerations for the library and its contents: "the institution shall have available a library adequate for its program of education of legal assistants. A library shall be available containing volumes and materials which are relevant to and adequate for the courses being taught. The adequacy of the library should be approved by the advisory committee and should be developed and maintained with the supervision of the faculty.

Students should be instructed in the proper use of a law library prior to being given library assignments.

Law Library Access Essential

The adequate preparation of legal assistants requires that the students have access to a complete law library for legal research and general coursework. The ABA Guidelines leave open the possibility for a program to develop and maintain its own library. However, the expense of a complete law library is prohibitive. This means that programs should make arrangements for students to use a nearby law school, university, or county law library.

Program Library Materials

In addition to having access to a complete law library, it is helpful for program students to have a collection of law books in the institution's or program's own library for reference by students and instructors relative to class assignments. The content, location, and physical adequacy of the program or institutional library should be approved by the advisory committee and should be developed and maintained with the supervision of the program faculty.

Ideally, the institutional or program library should contain:

state reporters (supreme court and appellate)
state digests
state Shepards Citator
state legislative materials
local and state bar journals and newsletters
three to five copies of all course texts
complete set of hornbooks
complete set of Nutshell series
several good law dictionaries
form books
resource materials for faculty members
practice manuals
specialized materials on the use of legal assistants

The nature of legal source materials is such that someone must be trained to keep the library current and in order. The institution must be willing to make the significant expenditures in updating the volumes, budgeted as continuing

yearly expenses for the life of the program. Security must be provided, since the loss of a volume can make an entire set worthless for legal research. The security problem is especially difficult, because students must have open access to the shelves. The library should have tables of sufficient size to allow researchers ample work space for using books and other materials.

CHECKLIST FOR MATERIALS AND STRUCTURE

General Considerations.

Is there compliance with the requirements of ABA Guideline G-601?

Law Library Access

Have arrangements been made for students to have access to a complete law library through a nearby law school, university, or county law library?

Program Library Materials

Is the program or institution able to obtain its own basic library materials?

Has the advisory committee approved the materials, location, and structure of this library?

Has this program or institutional library been developed and maintained with the supervision of the program faculty?

Has provision for someone to be in charge of keeping the library current and in order been made?

Has the institution budgeted for the yearly updating expenses associated with the library?

Is there open access to the shelves for the students?

Is there adequate space for researchers?

SELECTION OF A DIRECTOR

After the need for a legal assistant program has been determined and the institution has decided to implement a program, a director must be selected. The importance of selecting a well-qualified person to administer the service cannot be overemphasized. It seems clear that the single most important factor in determining the quality of a legal assistant program is the ability, energy, and interest of the director.

ABA Guidelines

In this regard, the ABA guidelines for approving legal assistant programs should be reviewed carefully and followed. Guideline G-401 requires that the director must be someone who is committed to the training and use of legal assistants. He or she should have expertise in the field from education, knowledge, and experience. The director should have demonstrated his/her commitment by using legal assistants in private practice or in another legal services position.

ABA Guideline G-402 requires that the director be a full-time member of the parent institution because of the amount of time required to adequately administer the program. Evaluation of programs across the country provides convincing evidence that the director must also have responsibility for the legal assistant program **exclusively.** The more effective programs have a person whose paramount responsibilities are those of administering and teaching in the program. The situation where a full-time educator or administrator is assigned responsibility for the program along with a number of others has generally not produced a strong program.

Guideline G-402 also requires that the director have sufficient authority to direct the program. It is essential that administrators of institutions realize that legal assistant programs have many characteristics that require them to be treated differently than other programs. The director must be able to implement changes that will strengthen the program, even though changes may make it stand apart from the others within the institution.

In addition to the director's need for authority, he or she must have sufficient time for administration. Because of the uniqueness and newness of the legal assistant profession and the training programs, the director must take the major responsibility for defining and implementing the philosophy of the program, ensuring that it responds to the needs of the community, promoting the program to potential students, overseeing the selection process for the admission of students, attracting and retaining qualified part-time faculty to each substantive course, directing the training of these faculty and promoting their professional development, coordinating the development of curriculum materials, securing adequate funding for the program, coordinating an internship experience, teaching classes in the program, advising and counseling students, placing students, and contacting alumni to evaluate and modify the program where necessary.

It is obvious that with all these duties, the director cannot also carry a full-time teaching load. Compliance with the guidelines and with common sense dictates that a strong program is impossible without adequate time for the director to carry out these duties.

Characteristics and Qualifications

The director should be a person with legal experience, preferably an attorney. Background in education and/or program administration can be helpful but should not be the major criteria for selection. This is especially important in the early stages of the person's work. The director needs to be able to deal with the legal community. It is unlikely that a person without legal experience could maintain an effective relationship with the bar association much less convince lawyers to employ assistants.

But prior administrative experience is also necessary. Serving the needs of the 100-200 students, working within a complex institution, and working in the community and with the bar association requires skills in administration. It takes such experience to effectively organize the program, schedule classes, work with budgets and funding proposals, develop training programs for lawyers, and set up internships.

Prior experience with legal assistants is also necessary in order to obtain credibility within the legal or educational community. This means that the director should have worked as a legal assistant, employed legal assistants, or have worked as an attorney supervising legal assistants at some point in his/her career. The director must not only be personally committed to the use of legal assistants but also must be able to convince others to use them. Only prior experience can provide the tools and the credibility to succeed in selling the concept to others.

Previous educational experience is extremely helpful if the director is to function effectively in an educational institution. Since most directorships will also involve teaching, previous teaching experience should be required. One of the most difficult jobs that the director will have to perform is that of training the practicing attorneys, who are experts in their fields, to become teachers who can convey that knowledge to students in the program. He/she should have experience in development of curriculum materials as well.

Such personal characteristics as pragmatism, enthusiasm, and optimism are essential. The director spends much time with students, many of whom are young, so he/she should be able to relate to and communicate with them. The ability to listen as well as to counsel is most desireable.

Recommended Procedures for Selection

First a pre-screening committee should be formed. This committee should have representatives from the local bar, the educational institution and the local legal assistant association (or a legal assistant representative).

Secondly, the position should be advertised widely. Such advertising should be consistent with Equal Employment Opportunity guidelines. Legal assistant associations and legal assistant educators' associations should be informed and asked to announce the position opening. It should be advertised in local and state bar journals. Notices should be sent to directors of all programs on the list of the American Bar Association.

Finally, the committee should assist in screening applicants and presenting the three best candidates to the educational institution for selection, along with the committee's assessments of the candidates.

Contract for the Director

Once the program is functioning smoothly, a nine-month contract is sufficient, allowing for optional summer teaching. However, in the initial stages of the program development (certainly until the first class has been graduated), an 11-or 12-month contract permitting execution of administrative duties is essential.

It is crucial that the director be placed under contract at least six months and preferably one year before the first students are admitted to the program. This time is required to produce curriculum materials, locate competent faculty, set up admissions procedures, and carry out other organizational functions.

Experience suggests that a memorandum of understanding should be drawn up between the institution and the director. Essentially, the institution should agree to support the program with the necessary financial resources and to recognize the special needs of legal assistant programs that set them apart from many other educational offerings. The director should obligate himself/herself to make all reasonable efforts to establish the program and to remain in the position long enough (two years) to get the program firmly established.

Duties of the Director

The duties of the director should be included in an appropriate job description. While many of the following duties should be delegated, the director should have overall responsibility for:

- teaching in the program (including preparation and evaluation)
- promoting and advertising the program to students
- counseling new students regarding admissions
- handling administrative details regarding students
- handling administrative details regarding faculty
- counseling students already in the program
- meeting institutional demands including those involving departmental meetings, committee work, and program reporting
- working with the advisory committee
- developing and supervising internship programs
- developing and revising admissions criteria
- implementing admissions criteria
- developing new curriculum materials
- scheduling of faculty and classes
- planning and implementing ABA approval procedures
- visiting other programs
- undertaking professional travel and consultation for professional growth
- providing in-service education for faculty
- revising and updating curriculum materials
- Evaluating the program
- assisting in the placement of student graduates
- handling alumni relations including alumni evaluations of the program
- securing funding for program operation and development

Teaching Load

It is obviously impossible for the director to teach full-time and also give appropriate attention to administration. Teaching which keeps the officer in contact with students is necessary. But the time spent must not be allowed to interfere with primary responsibilities. The amount of time will vary, depending on the size of the program and the number of support staff. It should be noted that two persons can share the directorship under Guideline C-402, and this is working well in a few programs in the country. Even this kind of system, however, will allow only modest time for teaching.

Travel and Professional Growth

The director should be able to attend relevant conferences, such as the ABA National Conference for Paralegal Educators. The administrator should also be free to visit other programs in the country and engage consultants to evaluate the program. Clearly, the best programs in the country are those in which managers have had the greatest degree of interaction with their counterparts elsewhere.

CHECKLIST FOR SELECTION OF A DIRECTOR

General Considerations

Has there been compliance with relevant ABA Guidelines G-401 and G-402 regarding the qualifications and role of the director?

Characteristics and Qualifications

Is salary allocated for a full-time director who will work exclusively for the legal assistant program?

Does the director have prior administrative experience?

Does the director have prior experience with legal assistants?

Does the director have prior teaching experience?

Does the director have the necessary personality characteristics?

Procedures for Selection

Does the pre-screening committee include:

(1) Students from program?

(2) Legal assistants from community?

(3) Practicing attorneys?

(4) Personnel from institution?

Have notices been sent to directors of existing legal assistant programs?

Have notices been sent to programs on ABA list?

Have notices been sent to legal assistant associations and legal assistant educators' associations?

Contract for the Director

Has money been allocated to pay the director at least six months prior to the beginning of the program?

Is there support for a summer contract for the director during the first two years of program?

Duties of the Director

Is the job description adequate?

Teaching Load of the Director

Is there provision for a reduced teaching load for the director?

Is there a reduced teaching load when two persons are co-directing?

Travel and Professional Growth

Is there adequate funding for travel and professional growth of director?

Are there funds to support assistance?

section III GENERAL CONSIDERATIONS FOR THE PROGRAM DIRECTOR

This section discusses the primary factors the director should consider in implementing and maintaining the program. Included are: establishment of an effective advisory committee; program organization and structure; selection of faculty; admission of students; program maintenance and evaluation; establishment of an effective placement program.

AN EFFECTIVE ADVISORY COMMITTEE

Tremendous emphasis has traditionally been placed upon the formation and use of advisory committees [1] Yet, there is indication that most programs have not been using advisory committees effectively. Five major reasons have been isolated for the ineffectiveness of advisory committees.

- Many vocational educators do not see the "value" of advisory committees because of their misconception of the functions and roles of such committees.
- Many vocational educators say that they have neither the time nor means to effectively "communicate" with advisory committees.
- Many vocational educators are not able to provide the leadership to effectuate and utilize advisory committees to their maximum potential.
- Many advisory committees exist merely as "paper committees".
- Many advisory committee members do not understand their roles and functions in the development or improvement of vocational programs because of the lack of guidelines and direction on "how to do it." [1]

Advisory committees are effective only where certain circumstances exist. The members must be carefully selected for the size must be manageable. Most advisory committees are too large to function effectively as a single group. Subcommittees must be formed to carry out the actual work.

The director and the institution must take seriously the suggestions of the committee. Intelligent committee members are not going to continue to give time and effort if advice and recommendations are not followed or, at the very least, considered. Thus, while the role is "advisory," in reality the role must be much greater in order to maintain interest and support. The committee will fail if it is viewed only as a rubber stamp or merely as a formality to meet the ABA Guidelines.

The traditional advisory committee is often a "blue-ribbon panel" that meets rarely and whose primary purpose is to give its blessings. That concept is not a valid one. The advisory committee's involvement should be integrated with a workable subcommittee structure in all phases of the operation of a legal assistant program. The advisory committee should be extensively involved in many functions.

A subcommittee should act to provide screening and interviewing of all faculty members, both full-time and part-time. The director should sit with the subcommittee during these meetings and should then process the recommendations of the subcommittee through proper administrative channels.

A subcommittee on curriculum should be created to consider all curriculum issues **before** these issues are considered by the campus curriculum committee. This includes review of course content, teaching methods, and materials.

A subcommittee of the advisory committee provides a superb mechanism to assist with job and fieldwork placement. This subcommittee needs a strong spokesperson to act as an additional force in encouraging the initial placement of graduates.

A subcommittee should be formed to consider ethical issues raised by legal assistants and to consider whether legal assistants should be certified. Legal assistants, as emerging professionals, are coming into contact with ethical issues concerning how far they may go in handling legal matters. Moreover, questions have arisen as to use of business cards and the use of legal assistants' names on letterheads. A subcommittee could help to resolve such issues.

[1] Several publications on the organization and operation of advisory committees are available. One is the following bookw hich includes comprehensive appendices containing sample checklists, letters and forms: Riendeau, Albert J., **Advisory Committees for Occupational Education** (New York: McGraw-Hill Book Company, 1977.)

A public relations subcommittee should be formed to promote the program within the general community and within the legal community. The subcommittee can operate to increase the level of awareness of the consumer regarding the role of the legal assistant. Consumer interest in an support of the position will have impact on job placement. This subcommittee can also hold seminars at local and state bar association meetings to explain the effective use of legal assistants.

The advisory committee may also assist the program in conducting surveys of practicing attorneys, practicing legal assistants, and program graduates — and in evaluating the scope and development of the program. The quality advisory committee is a potent force for maintaining the resources necessary for a quality program.

Advisory Committee Guidelines

Section G-203 of the ABA Guidelines for the Approval of Legal Assistant Education Programs sets specific requirements for the composition and role of the advisory committee. Experience shows that these guidelines are totally consistent with the objective of creating strong advisory committees that will help to improve a program.

According to Guideline G-203, "the legal assistant education programs including programs offered by law schools, shall have an advisory committee including practicing lawyers, legal assistants from the public and private sector, faculty and school administrators and one or more members of the general public."

The guidelines further stipulate:

"The legal assistant education program should have been planned in cooperation with state or local bar associations as well as with representatives of law firms, legal agencies and other potential employers of legal assistants.

"A broad scope of potential users of legal assistants should have been consulted throughout all stages of program development.

"Feasibility studies should have been conducted prior to starting a program, and all educational resources of the community should have been involved in the planning to assure utilization of available expertise and to minimize duplication of effort.

"A permanent advisory committee should be utilized, the members of which are completely familiar with the objectives of the program. Some specific functions of the advisory committee should be those of recommending admissions standards and recruiting qualified applicants for the program; recommending the content of the training program on the basis of broad outlines provided by the committee; recommending space and equipment needs for effective training; locating outstanding, experienced and professionally able men and women to act as instructors; informing the educational institution as to changes occurring within the field; determining future trends for the legal assistant field; reviewing constantly the education program and recommending improvements for consideration; advising program officials about employment opportunities for graduates; and publicizing the program and securing community cooperation and interest."

Composition of the Committee

The key determination for selecting advisory committee members should be the consideration of how much the individual can assist the program. This means that the committee members must be drawn from a broad base. The purpose of this section is to indicate the types of persons who should be selected for the various positions on the committee.

The assumption is that the committee members will serve without pay. They will be formally appointed by the college president or provost, but, as a practical matter, the provost will usually appoint those who are recommended by the director. Thus, it is critical that he or she select persons who will effectively carry out their responsibilities. Here are the types of persons that should be considered.

The prominent attorney gives the program a direct communication link to the power center of the local bar association. This person also helps to assure attorneys that the program is "solid," due to the involvement of someone who is well-respected in the legal community. Assistance of the president of the local bar association may be helpful in obtaining the services of such an individual.

The committed attorney is one who is willing to work and who believes in the legal assistant concept. The "prominent attorney" may not be in a position to assist on a regular basis because of the press of other duties — or may not have experience with legal assistants. The committed attorney, therefore, who has working familiarity with legal

assistants, can help bridge the gap. Such individu- also should also be committed to helping the program through involvement on subcommittees.

Practicing legal assistants should also be used. ABA requirements call for appointment of both public and private sector legal assistants to the Advisory Committee. Experience indicates that the practicing legal assistants make excellent committee members. They are committed to the profession; their interest level is high; and they are invaluable in ensuring that what is taught in the classroom is related to the job requirements. If there is an active local legal assistant association, it should be asked to name at least one private and one public sector representative for consideration for appointment by the provost.

Faculty and school administrators can be effective members. The ABA Guidelines, in fact, require that such persons be represented on the advisory committee. It is doubtful, however, that high school administrators will have the time to devote to extensive subcommittee efforts. Additionally, their interests may sometimes be in contradiction to the interests of the advisory committee. The top administrators are involved in balancing a number of competing demands for resources, whereas one purpose of the advisory committee is to push for the allocation of sufficient resources for the program. But there is the need on the advisory committee for people experienced in education. Some advisory committees have avoided possible conflict by having administrators serve as ex-officio committee members.

Liaison with the local law schools is important. Selecting a member from a local law school can foster joint programs, guest lectures, and combined clinical programs where law students can learn to utilize legal assistants effectively. Such a member can also assist in gaining access to law school facilities for program students.

A member of the general public should be selected. This person should be an energetic person very interested in the concept of legal assistants. He or she will give some balance to a group which would otherwise contain only members from the academic and legal communities. This person should be practical, not afraid to speak his or her mind, and willing to work on subcommittees in a variety of capacities.

Students from the program also provide input. It is vital that students from the program be included. These students can provide committee members with a viewpoint that is often different from that of the director. Students are often more mature and committed than the typical college student. These students can provide a valuable resource. Also, it is desirable for the strength of the program that the students feel that the program is "their" program, and formal student input helps to assure the feeling of openness and cooperation.

A final consideration in selecting advisory committee members is that of the term of appointment. Members may be appointed to serve on a one-year basis or may serve staggered terms of up to three years to provide continuity of program development. One-year terms may also be staggered, with some terms commencing at the beginning of each semester or quarter rather than all of them starting simultaneously.

Regular Use of the Advisory Committee

The key to effective use of the advisory committee is an effective subcommittee structure, since the advisory committee is too large a group to be used for consideration of details. The following subcommittees should be established: (1) faculty selection committee; (2) curriculum committee; (3) legal ethics and legal assistant certification committee; (4) fieldwork and placement committee; and (5) public relations committee.

These subcommittees should meet with the director as often as necessary. For example, the faculty selection committee should meet at least once a semester in sufficient time to recommend faculty for the next semester. The curriculum changes or reevaluation is necessary.

The advisory committee should delegate sufficient authority to the subcommittees to enable the subcommittees to take action without an additional meeting of the advisory committee. The advisory committee should meet as a whole only twice a year, with the actual work being undertaken by the subcommittees. The subcommittees can report at the full committee meetings, and general discussion can occur to determine progress and to set objectives. To increase their resources, the subcommittees should be allowed to ask nonadvisory committee members who are knowledgeable about the legal assistant program and can exhance the opening of placement opportunities.

The keys to an effective advisory committee are: (1) the careful selection of committee members; (2) a clear workable statement of what the various subcommittees are to do; and (3) the inculcation of a feeling of cooperation and frankness between the director and the committees, i.e., the feeling that the director takes the committee

very seriously and is willing to follow its recommendations.

If these procedures are implemented, the result will be a functional advisory committee that provides strength and direction to the program, rather than a committee that serves only as a rubber stamp.

CHECKLIST FOR COMMITTEE ESTABLISHMENT

Bases for Effectiveness

Has there been careful consideration of the reasons for failure of other advisory committees? Has the role of an effective advisory committee been considered?

Purposes and Functions

Has there been determination of the role of the advisory committee with regard to: faculty selection; curriculum decisions; admissions decisions; fieldwork/cooperative education and placement; legal ethics and legal assistant certification; and public relations?

Advisory Committee Guidelines

Has there been compliance with the requirements of Guideline G-203?

Composition of the Committee

Have qualified committee members been selected from the following groups: attorneys, including at least one "prominent" attorney and one "committed" attorney; practicing legal assistants from both the public and private sectors; faculty and school administrators; liaison with local law school; member of the general public; and students from the program?

Use of the Committee

Are there workable subcommittees in each of the major areas? Is there a clear statement of what the various subcommittes are to do?

Has a feeling of cooperation been established between the director and the advisory committee?

Have the subcommittes scheduled meetings as needed with the director?

Has the advisory committee as a whole scheduled at least two meetings per year?

PROGRAM ORGANIZATION AND STRUCTURE

ABA Guidelines G-201 and G-205 make clear that the institution should provide sufficient resources necessary to accomplish the objectives of the legal assistant program. Generally, staffing and other resources for legal assistant programs are inadequate. While the parent institution may begin a program with adequate support, subsequent resources either diminish or remain constant, even though there may be inflation and anticipated program growth. Sufficient resources must be provided.

Guideline G-202 stipulates that the legal assistant program be given status within the institution comparable to other units of similar size and function with regard to finances, staffing, faculty rank and salary, appointment to policy-making bodies, program priorities and other academic affairs. As a newcomer to the academic scene, legal assistant programs face the difficult problem of getting sufficient resources in an academic community where claims to existing facilities, resources, and personnel are already established. Guideline G-202 is an attempt to guarantee that legal assistant programs receive equality of resources. Institutional officers should have frank discussions with all other academic department heads **prior to** implementation of the program. This will minimize disputes over the use of existing resources, personnel, and "territoriality."

The problem of equality of resources is compounded by the special needs of legal assistant programs that require resources greater than other institutional programs of similar size. The program is vocational, which requires smaller classes than most liberal arts programs. The legal assistant concept is not well established, which means greater resources are needed for placement of students and for education of attorneys. The curriculum requires that much preparation be done at the local level, which requires staff, supplies, and time. The duties of the director are numerous, necessitating significant released time.

Determination of Goals and Objectives

Guideline G-201 maintains that "the program should have clearly defined, publicly stated goals and objectives." The goals might be broad, such as to provide training for legal assistants to make the delivery of legal services more widespread, efficient, and available to all. However, the objectives should be quite specific, especially regarding the number of students to be trained, the types of students to be admitted to the program, and the areas of training emphasis. This requires the institution in the planning phase to clearly determine its priorities and intentions.

Degree or Certificate

The type of institution within which a program can be located is quite flexible. More than half of the legal assistant programs are located in two-year community and junior colleges. Guideline G-206 provides that programs are eligible for ABA approval "if they are offered by law schools, four-year colleges and universities, two-year colleges, comprehensive technical institutes or vocational schools." Proprietary institutions also are eligible.

Depending upon the type of institution, there should be a determination of whether a degree or certificate should be offered. Some institutions offer both, with the certificate given for completion of the legal assistant courses and the degree given for completion of both the legal assistant courses and general education requirements and electives.

Size of the Program

Program size should be directly related to the anticipated employability of graduates, and under no circumstances should program size exceed the best estimate of the abilities of the market to absorb graduates. The determination of need for the program was discussed in Section II. The results of careful informal and formal market surveys should set the parameters of the program. Some student attrition should be anticipated with planning based on 20 percent. This figure can be modified as more experience is gained.

Time of Course Offerings

Decisions must be made as to when classes should be offered. Faculty in the stronger programs will probably be practicing attorneys who will teach part-time. It is almost impossible for them to leave their practices during the day. Classes should be scheduled at night if well qualified instructors are not available during the day. Many programs have scheduled one evening a week for a particular course to reduce time required of teachers.

If the program plans to admit a substantial number of legal secretaries (see Section III on admissions and placement), sufficient program courses should be offered at night to allow graduation from the program without loss of employment.

Institutional Location

Many legal assistant programs are part of the business department. Other institutions place the program under the liberal arts area, and a few have the program housed in law enforcement. Based upon extensive evaluation of existing programs, the strongest programs seem to be the ones that have some degree of independence from other departments.

Clerical and Technical Services

Guideline G-403 (B) provides that the faculty is to be given essential clerical, technical and other supporting services necessary. Secretarial and clerical positions sufficient to meet needs should be established. Many institutions have attempted to implement a program without provision for secretarial assistance, thus generating resentment from existing departments that have to share resources.

Student help can also be obtained for office work. Federal work/study students can be utilized effectively for various secretarial and clerical tasks. Students who are enrolled in the legal assistant program are invaluable as program office assistants to handle routine correspondence and telephone calls.

Other resources exist in the form of volunteer senior citizens, vocational rehabilitation programs, and VISTA volunteers. However, experience shows that unless the volunteers are willing to work at least ten hours a week on a regular basis, the amount of confusion created by volunteers and the amount of training time required results in a net loss. Paid quality student help is far superior.

Student Services

Section III discusses the desirability of a selective admissions procedure for legal assistant programs. Each institution usually has an office that handles student admissions. It is recommended that the legal assistant program utilize existing resources for processing and handling applications, but that decisions on admissions be made by the program director with advice from the program's advisory committee.

Guideline G-205 (A) (3) provides that funds must be provided for research projects, program evaluation and professional development of faculty. Often computers can provide valuable insight into student attrition patterns, accuracy of admissions criteria, grade analysis, and correction of examinations.

ABA Guideline G-502 stipulates that the institution have a well-organized plan for counseling and advising students. Nearly all institutions have an office that handles student advising and counsel-

ing. The program director and the student services office should divide the counseling and advising responsibilities. It is recommended that the student services office handle all advising of anyone who has not entered the legal assistant program, since there is not sufficient time for the program director and staff to do so. Once students have been selected, they should be counseled as to program requirements by a counselor from the student services office. This counselor can be oriented to program requirements by the director, and the director can also provide additional counseling when the student services counselor is unable to provide the necessary information.

Placement is discussed in Section III. The placement officer for the institution should work closely with the program director and staff, since placement of graduates will be difficult in areas where attorneys are not familiar with legal assistants.

CHECKLIST FOR PROGRAM ORGANIZATION

Adequacy and Equality of Resources

Have the requirements of ABA Guidelines G-201 and G-205 been met? Have adequate resources been provided for both program implementation and maintenance? Are there resources that are at least comparable to other units in the institution? Have the special needs of the legal assistant program been recognized and fulfilled?

Determination of Goals and Objectives

Are goals and objectives clearly defined? Has the type of degree of certificate to be offered been determined?

Has there been determination of the size of the program, and is it directly related to estimates of ability to place graduates? Has the time of course offerings been determined?

Institutional Location

Has there been consideration of the various alternative locations for the program within existing departments? Has it been recognized that the strongest programs will have considerable independence from other departments?

Clerical and Technical Services

Has Guideline G-403 (B) been followed? Is adequate secretarial help available on an exclusive basis? Are there funds for use of student help for secretarial staff? Has staff investigated the possibility of using additional volunteer help, provided that this help is willing to work a minimum of ten hours each week?

Student Services

Has there been coordination of the relationship of the admissions personnel and the needs of the programs? Have adequate academic research facilities and data processing been provided? Has there been coordination of the relationship of the counseling and advising personnel and the needs of the program? Have adequate placement services been provided as discussed in Section III?

SELECTION OF FACULTY

The major issue in the selection of program faculty is whether to use part-time or full-time people. There are advantages to both methods and there may be combinations. We have already discussed the need for a full-time director, who should also teach at least one class in the program each semester or quarter. The composition of the other teaching staff is the subject of this Section.

There are many advantages to using part-time faculty. Persons who are experts in only one area of the law may be more qualified to teach that subject. A full-time person who practices in four or five different areas presumably has less in-depth knowledge in any one of the subjects than does the specialist.

The part-time teacher has continuing practical experience and knowledge of changes in the subject area, since he or she is currently practicing. The full-time person has less incentive and time to keep current in all the areas in which he or she is teaching. The part-time teacher has constant contact with many other members of the bar and can sell the legal assistant concept to partners, associates, other attorneys, and to the courts.

The part-time faculty member provides an excellent contact for internship positions and permanent placements; the part-time teacher has available a constantly changing series of real life examples, samples, materials, and forms from which to breathe life into the class.

The part-time teacher is current on rules and procedures and how actual practice differs from "the book." At many institutions, part-time teachers are less expensive per credit than are full-time teachers. Use of full-time faculty can also be advantageous.

The full-time people have more time to devote to teaching and more opportunity to develop and improve teaching methods. The person who takes on full-time teaching responsibilities should agree to severely restrict private practice. He or she is likely to become better at the technical skill of the educator because he or she is devoting the majority of time and energy to this task.

The full-time people are more available to the director and students when questions or problems arise.

The great majority of legal assistant programs use part-time teachers exclusively — except for the director. The better programs make very effective use of part-time faculty members. Because of the risks of using part-time faculty, great care and skill must be exercised in selecting and evaluating personnel. The sections that follow contain suggestions on how to select qualified part-time people.

How to Select Faculty Members

Nearly all programs rely primarily upon practicing attorneys as teachers. Some programs use legal assistants as instructors for some courses, particularly for cooperative education or law office management. An attorney and his or her legal assistant make an excellent team combination. If two attorneys or an attorney and legal assistant are used as team teachers, it is critical that the director be certain the division of labor is properly divided. There as a strong tendency for neither member of the team to take sufficient responsibility for the course unless the work tasks have been carefully spelled out.

The use of law professors should be considered with caution. They may not have the practical skills that legal assistants need, especially those who are not practicing attorneys. This makes it difficult for them to switch from the more philosophical and theoretical level of the law school to the practical needs of the legal assistant.

One of the main functions of the advisory committee is to make teacher recommendations. The director should also contact secretaries, legal assistants, the legal assistant association, and court personnel to identify local experts in each area. The local bar newsletter is often a good source for advertising positions.

Once the names of local experts have been located, there are significant factors to consider before making a teaching offer.

- Ask other lawyers about the candidates to determine their community reputation. Do they use legal assistants themselves? If at all possible, all attorney-faculty should be actually using legal assistants.
- Ask legal assistants, secretaries, and court personnel about them. What is their personality and temperament? How well do they communicate? Do they get along with people at all levels of the organization or just with other attorneys? Weigh their prominence and reputation versus their time to teach the course. Does the outstanding lawyer really have the time to teach the course? Will the applicant devote the time necessary to prepare properly and to provide student/faculty contact, particularly if the candidate is in the peak earning period between 35 and 50?
- Can they communicate and relate to students? What kind of experience do they bring to the job?
- Are they creative? Previous teaching experience is highly desirable.

Supervision of Faculty Members

The single most effective technique for ensuring quality in the classroom is to insist that the instructor draft a syllabus prior to the beginning of the course. This should be completed in time for the director to review and suggest changes. The syllabus should be duplicated for the students and distributed at the first class meeting.

The syllabus should contain a course calendar. This gives the dates and times of class meetings, the topics to be covered on each date, dates that any assignments or projects are due, and examination dates. It should also have a course outline of subjects to be covered in the course. It can be organized by units or by class period. General objectives or competencies should be expressed. The students should know the general objectives of the instructor. Six to ten general statements about what the instructor wants the students to learn should be listed. Competencies are simply objectives stated in terms of student behavior. (See Section IV, The Curriculum.) For each objective or competency there should be a description of the teaching techniques, strategies and learning experiences that the instructor will use to accomplish the objective, as well as exactly how the students will be evaluated as to whether they have met that objective or competency. Specific competencies or objectives should be spelled out for each class. Four to eight objectives or competencies for each class period is average and a detailed description of evaluation

and grading should be included. This includes the number and type of tests, relative weight of tests, graded assignments, problems, cases, and other items relevant to grading, including attendance and participation.

The director should insist that the class be at most 50% lecture. The remaining time should be used for projects, assignments, problems, in-class exercises, role-playing, small group work, and study.

Evaluation of Faculty Members

The evaluation of faculty members is the responsibility of the director. It is important that only the very best instructors deliver the product. Here are some ideas for evaluating faculty:

- The director can administer student evaluations of the faculty member. Beware of what is being measured with a particular instrument. Does the instrument measure instructor popularity or competence? Informal comments from students should be encouraged. The director should not make negative observations to the students about an instructor's competence.
- The director can compare course competencies or objectives with examinations to see whether the examinations reflect and accurately measure the teaching goals.
- The director should analyze the content of the course as it is actually taught to see whether it too heavily emphasizes theory or practice.
- One of the most useful tools is that of requesting the alumni to evaluate the previous instructors in light of their subsequent job experiences.
- The director should personally visit and observe classes.

ABA Guidelines

ABA Guideline G-401 says that "the director and instructors must possess education, knowledge and experience in the legal assistance field." Guideline G-403 notes that ... "the institution shall establish and maintain conditions adequate to attract and retain a competent faculty." The same Guideline also adds that "the faculty should be provided with essential clerical, technical and other supporting services..."

Many institutions have salary schedules for part-time teachers that are vastly below the earning capacities of attorneys. Every effort should be made to provide the teachers with the maximum amount of compensation allowed by the institution. Most programs have been successful in attracting competent faculty. This has usually not been for the salary that is available, but is instead due to the personal interest of the instructor in the legal assistant field. Programs that do not provide adequate clerical assistance and that do not compensate their part-time faculty adequately have found that they are unable to retain personnel. Programs desiring to minimize instructor losses should provide funds for in-service training of part- and full-time faculty as well as funds for professional growth and travel to conferences.

CHECKLIST FOR SELECTION OF FACULTY

Part-Time or Full-Time Faculty

Has consideration been given to the advantages and disadvantages of part-time vs. full-time faculty? Has the mix of full- or part-time faculty been determined?

How to Select Faculty Members

Has there been consideration whether to seek a practicing attorney, practicing legal assistant, or law school professor? Before choosing any faculty member, have recommendations been secured from other lawyers; legal assistants; secretaries and court personnel; and employees of candidates? Have the following factors been considered: prominence vs. time to teach the course; ability to teach the course; previous teaching experience in the subject field; and ability to communicate with young people?

Supervision of Faculty Member

Is there a requirement for a syllabus containing course calendar, assignments, competencies or objectives for each class, and an evaluation plan? Are there requirements for creative teaching strategies and learning experiences in the curriculum? Is there a requirement for at least 50% of teaching strategies and learning experiences to be other than lecture?

Evaluation of Faculty Members

Is there opportunity for student evaluation of faculty members? Is there a means for alumni evaluation of instructors?

General Considerations

Is there attention to Guideline G-401 advising the director and instructors to have education,

knowledge and experience in the legal assistant field? Is there followup to Guideline G-403 stipulating adequate compensation and clerical assistance? Is there provision for paying part-time attorney teachers the highest available rate of compensation allowed by the institution? Are there funds for in-service training of part-time and full-time faculty? Have funds been allocated for professional growth and travel to conferences?

ADMISSION OF STUDENTS

The manner in which students are selected for the program is one of the most critical areas relating to program success in job placement and program survival. This section discusses the following major issues: The "open door" policy and the relationship of careful admissions selections to job placement; ABA guidelines; skills, abilities and characteristics of the successful student; suggested admissions procedures and criteria; advanced standing and transfer students; single course admission students.

The 'Open Door" Issue

Probably the most controversial issue facing legal assistant programs today is the question of whether selective admissions should be utilized. Many colleges have an "open door" policy mandated by legislation and philosophy. Given the present state of development of the legal assistant profession, there are drawbacks to the "open door" policy. Selective admissions may be desirable — though this must be weighted by each program.

There is a definite relationship between admissions and job placement. Information obtained from project directors throughout the country indicate that the most difficult student to place is the recent high school graduate without work experience. On the other end of the spectrum, placement of those with previous legal experience is relatively easy. If a legal assistant program is to be "vocational," it is legitimate to consider employability prior to admission of the student to the program. It is possible to admit the wrong type of student and later be faced with an extremely difficult placement problem. The college may not be maximizing its limited resources by training on a first-come, first-served basis.

During the developmental phase of the legal assistant profession, it is very important that all graduates be well trained. Not all persons have the necessary skills and capabilities to become qualified legal assistants — so it is up to the program to find those who do. Many attorneys view this evolving profession with considerable skepticism, and a few imcompetent and improperly trained graduates will make job placement for all the other graduates even more difficult. This will have an unfortunate cost on the program, the other graduates, the development of the profession, and most importantly upon the rate at which the lower and middle income consumer will be receiving legal services.

There is, of course, significant student demand for admission into legal assistant programs, and this demand often exceeds the capacity to handle the students. Thus, it is necessary to engage in careful screening and selection without undermining the open door philosophy. Those who obviously do not have the potential to succeed when they are tested should not be accepted. This can be determined by testing and appropriate counseling. Those who do not show promise should be counseled into other collegiate areas or provided with developmental education that will bring them to a level of competence deemed necessary for successful performance in the legal assistant program

Every effort should be made to ensure that admissions materials and content in the introductory courses make clear to the students the importance of proper background and preparation for legal assistant work. The students should be apprised of the rigor of the program and be given the opportunity to consider other educational possibilities.

A program, to have a high percentage of employability, must: (a) work carefully with the students from the beginning, and (b) make adequate resources available to locate job placements for students in both cooperative education situations and in post-graduate work. This will require coordination with the local bar association, full-time placement people, and practicing lawyers as well as other.

ABA Guidelines

ABA Guideline G-501 provides that "the admission policies of the program of education for legal assistants shall be designed to enroll students qualified for and interested in careers as legal assistants. (a) A student admitted to the program must have a high school diploma or have passed an equivalency examination. (b) Students are selected on a basis consistent with the philosophy and objectives of the program. (c) A number of admission criteria, both objective and subjective, should be used to reflect a rational process for selecting stu-

dents so that success as legal assistants can be reasonably predicted."

Review of the above makes it clear that the ABA has not attempted to limit the type of student the program can accept, other than to require the student to have a high school diploma or to have passed an equivalency examination. However, Guideline G-501 (c) indicates that the selection process should allow for reasonable prediction of success as legal assistants. This language seems to indicate that the guidelines give qualified support to "open door" policies. Guideline G-501 also cautions against unduly restrictive admissions requirements.

Skills, Abilities, and Characteristics

The most important skills are the ability to write clearly and to communicate effectively orally. It is desirable that the student should have demonstrable writing and speaking ability prior to entry to the program, since there is not adequate time to develop these abilities while the student is in the program. Students without these qualities might well be advised to take communications courses in the college before entering the program.

An equally important characteristic is the factor of desire and interest. Courses involve significant detail and theory. The law is a complex and confusing area that is difficult to comprehend quickly. Students who are not highly motivated will quickly fall behind and may even drop from the program. It is even more difficult for students to maintain the amount of motivation necessary to complete the program when they are working full-time.

Work experience is an extemely important factor. The person who has legal experience has a definite advantage in class, due to greater familiarity with law office operations and legal terminology. Students with other forms of work experience are often more "mature" and more motivated. In addition, students who have work experience are much more employable, and these students can usually find part-time or full-time employment during the course of the program. This makes for an excellent combination of practice with classroom training. Students who do not have legal experience often find the classes less interesting, since they have not had exposure to real problems in the area and thus do not see the relevance of the course material as readily.

A controversial area in the field of legal assistant education is whether the program should require typing and other secretarial skills prior to admission or graduation from the program. One school of thought is that if legal assistants have well developed typing skills, they will more likely be **misused** in the law office. The other school of thought is that attorneys are more apt to hire people who can perform the dual function of legal assistant and legal secretary. Program directors throughout the nation indicate that, with some exceptions in some areas of the country and in some firms, most legal assistants employed today are working to varying degrees in a combined role of secretary and legal assistant. Some programs require secretarial skills as a prerequisite, or include training in the curriculum. Generally speaking, specialty programs requiring a bachelor's degree have not required secretarial skills, since these programs are providing legal assistants primarily for larger firms which do not require personnel to be both legal assistants and legal secretaries. Generalist programs that intend to supply personnel to small private law firms will nearly always encounter the desire of the employer to use the person as both legal assistant and legal secretary. This is a misuse of personnel. Attorneys would be better advised to use legal assistants for that work — and employ properly trained personnel for secretarial and clerical service. While misuse of personnel is a common practice, the situation is gradually improving. The improvement is not as rapid as most legal assistants would like.

Another very important characteristic required of the student is the desire to be a legal assistant rather than an attorney. The role of the legal assistant is not the same as that of the attorney. If a student wishes to be a lawyer, the student should go to law school. Legal assistant programs should concentrate their efforts on students who wish to be legal assistants. Thus, it is important early to determine why the student is interested in the program. Students who are interested in the law only from a philosophical standpoint or for "general interest" may quickly tire of the detail of this kind of program.

Suggested Procedures and Criteria

Admissions criteria for degree candidates relate to the skills, abilities and characteristics described previously. The ABA Guidelines offer certain minimums, including a high school diploma or its equivalent. Another guideline maintains that "The parent institution shall maintain equality of opportunity in its education programs without discrimination or segregation on the grounds of race, color, religion, national origin or sex."

The total number of students to be admitted depends upon the physical facilities, classroom size, and the availability of qualified instructors. Class size must be limited in courses such as legal research, legal writing, legal interviewing and counseling, and substantive law courses where substantial teacher/student feedback is necessary in the process of document preparation.

One of the most difficult initial decisions concerns the percentage of student attrition. A high attrition rate is common in legal assistant programs, especially when the program is held at night and involves older students who have family responsibilities and/or work obligations. It is recommended that 20% attrition be allowed for initially. As experience is gained this percentage can be adjusted.

Admissions procedures should call for: selecting an impartial qualified admissions committee; providing information about the program and the admissions process; testing of the applicants; completing an application containing essential information; obtaining letters or recommendation or reference; conducting a personal interview prior to final acceptance; and making admissions committee final determinations and notifying candidates of results.

The admissions committee should be an impartial body composed of a variety of interests. Members should include at least one representative from each of the following groups: attorney, practicing legal assistant, program student, members of the college admissions office, and the program director. Ideally, the committee should be a subcommittee of the advisory committee with additional members added.

The admissions committee should set the general policies. Once the basic process has been set, the admissions office of the college can handle the testing and preparation of the admissions folders for the candidates.

Operating an effective admissions process is time consuming. There are means of reducing the amount of effort. One of the most important steps is to produce an admissions brochure that answers most of the general questions that inevitably will be asked concerning the admissions process itself, criteria utilized by the committee, the number of course credits required, transferability of previously earned credits, employment opportunities, time and location of class offerings, and costs of tuition and textbooks. A complete printed guide will save hours of telephone and correspondence.

Additional hours will be saved by making available in the school library selected articles on the legal assistant profession. These should be mentioned in the informational brochure and can be referred to orally in response to telephone calls. Another effective means of providing information concerning the program and the admissions process is through scheduled meetings during the admissions period. It is efficient to conduct these meetings immediately prior to the admissions test. These sessions can be conducted by program legal assistants and/or the director.

Some form of testing should be undertaken for each degree candidate applicant. A variety of tests has been utilized by programs. These include the LSAT, CT, SCAT, Nelson-Denny, and the Watson Glazier critical thinking tests. The student services center can provide information on test booklets that are immediatley available on campus. The goal is to test for analytical reasoning and for writing capabilities. It is suggested that the test also include a one-hour portion in which the student is requested to respond to one essay question. These responses are invaluable in determining whether a student need not be read for all candiates, but they should be studied carefully prior to processing any candidate.

The application should contain enough information to give the committee a strong grasp of the background and interests of the candidates.[1] It should include open-ended questions to provide maximum information regarding the applicant's work experience in both law and non-law related areas; typing and other secretarial skills; transcripts of other college and high school credits; reasons for desiring to enter the program; whether the applicant intends to work while in the program; and whether the applicant intends to attend full-time or part-time.

Letters of recommendation or names of references are helpful in marginal cases where further checking is desired prior to admissions. If letters of recommendation are to be of assistance, the request form should be carefully drafted to elicit specific useful information.

It is highly recommended that a personal interview be conducted as a part of the admissions process. If there is a large number of applicants, the personal interview should be done only for those candidates whom the committee is fairly confident

[1]A sample admissions application and brochure is available from the Legal Assistant Program, Kapiolani Community College, 620 Pensacola Street, Honolulu, Hawaii 96814.

of admitting. Some programs have run group interviews with up to eight of the candidates. This provides for the possibility of an interesting and illuminating interchange. It is a useful device.

The process described above should culminate in final admissions decisions following the personal interview. Factors the committee should consider include: life experience, grade level, secretarial skills (if determined by the committee to be important), community involvement, work expeirence, likeliness to complete the program, maturity, and age. Some committees prefer to use a checklist, though the process is generally somewhat subjective.

Once the process is completed, the college should send out acceptance/rejection letters, including a detailed statement of the factors considered by the college in making its determination. The college may decide to reveal the scores of the candidates relative to the numerical average of all the applicants.

Advanced Standing and Transfer

Each program should develop a policy with regard to granting advanced standing to certain students who already have satisfied portions of the curriculum. ABA explanatory criteria for Guideline G-501 recommends that: "consideration should be given to admission with advanced standing of those students who have satisfactorily completed appropriate academic requirements, whether relating to general or to technical parts of the curriculum, and of those students who meet established acievement standards through special qualifying examinations. In permitting students to qualify by examination, consideration may be given to valid experience outside the classroom, or self-study."

The experienced legal secretary does not have a thorough knowledge of the theory underlying the law. While the secretary may be expert in processing the forms for a divorce, for example, the person will not usually have a firm grasp of the major legal issues. Thus, it is recommended that the program exercise extreme care in conferring advanced standing until the program has become well established and the course that has been "challenged" or waived has been taught at least twice. A meaningful examination can eventually be given to determine whether the person in fact has mastered the competencies contained in the course.

Single Course Admission

An even more difficult problem is that raised by non-degree candidates. ABA Guideline G-503 allows for admission of non-degree candidates in legal assistant program courses with the following statement: "pursuant to an established policy, the institution, without requiring compliance with its admissions standards and procedures, may permit the enrollment in a particular course or limited number of courses, as auditors, non-degree candidates or candidates pursuing degrees in other areas."

Programs have found it beneficial to have some students take a limited number of courses even though these students are not interested in pursuing a degree. Such a student may be one who wants a single course that is directly related to his or her area of employment. Examples might be a person in a real estate office interested in real property law, or a person working in a law library who needs background in research. Often a legal secretary will want to take only one or two courses in an area in which the employer specializes. These students can provide a great deal of helpful information.

The greatest difficulty occurs when persons without any experience in the subject area of a particular course wish to enroll. They will slow down the progress ofthe course and may cause resentment among those degree candidates who have taken previous courses and have passed the basic level. Therefore, those who are not degree candidates and who do not have experience should not be admitted. Such persons should be steered, instead, into the introductory course.

Often those seeking general information will find it in a general business law course. Or, a course can be designed specifically for these students — separate from the legal assistant program. Many problems can be avoided by providing general courses not directly involving those taken by legal assistant candidates.

Again, it should be emphasized that the legal assistant program is a separate profession that has needs for specialized training, and extreme care must be taken when students who have other objectives are mixed with the degree candidates.

CHECKLIST FOR ADMISSION OF STUDENTS

The "Open Door" Issue

Is the institution legally required to have "open door" admissions? If open admissions is not required, is there need for selective admissions? If "open door" admissions is legally required, is effort made to bring students up to entry standards or to provide them with alternative opportunities? Is there realization of the

relationship between admissions and job palcement of graduates?

General Considerations

Has Guideline G-501 been reviewed? Are all students required to have a high school diploma or equivalent? Has a philosophy of admissions that is related tothe program objectives been developed? Are entrance requirements not unduly restrictive?

Skills, Abilities, and Characteristics

Is each student admitted required to have the ability to write clearly and to communicate effectively orally? Do students have a high degree of motivation? Are efforts made to attract students with work experience? Is there a decision on whether to require secretarial skills? Have students who are really more interested in being an attorney than a legal assistant been discouraged from enrolling?

Suggested Procedures and Criteria

Has the total number of students to be admitted been decided upon? Has the attrition rate of students been determined? Has an impartial, qualified admissions committee been selected? Has information been provided about the program and the admissions process to interested parties?

Is testing of applicants provided for?

Does the application form contain all the essential questions?

Have letters of recommendation or references been requested?

Have personal interviews been requested prior to final acceptance?

Have final determinations been made by the admissions committee and provided for notification of applicants?

Advanced Standing and Transfer

Is there a policy regarding advanced standing from previous college work and from other legal assistant programs?

Has consideration been given to allowing program courses to be challenged by students?

Single Course Admission

Has a policy been developed regarding allowing non-degree candidates to take certain courses?

Has the number of single course admittees been sufficiently limited?

PROGRAM MAINTENANCE AND EVALUATION

A tremendous amount of effort must go into planning and implementing a quality legal assistant program. The work is not completed once the program has begun, and there should be a continuous process of maintaining and evaluating the program. This is necessary both because of changing needs of the market and changing laws. The curriculum should change as attorneys become more sophisticated in their use of legal assistants. The economy may also necessitate a change in emphasis in the program, such as greater emphasis in the real estate area when times are prosperous and more emphasis on bankruptcy in times of recession. The curriculum must be updated constantly to reflect changes in state laws and development of new legal areas such as consumer truth-in-lending.

ABA Guideline G-301(D) provides that a program should be extensively involved in program evaluation: "there should be evidence of an organized plan for review and evaluation of the total program. The ultimate criterion for judging a legal assistant education program is whether it achieves its stated objectives. There should be evidence of earnest attempts to measure the extent to which students secure suitable positions, to determine how effectively they perform duties related to their education program, and to solicit the reaction of graduates to the effectiveness of their training and its relevance to the duties actually performed. Evaluation should, therefore, include regular follow-up procedures directed to both graduates and employers to assess the results of the programs. The advisory committee should help to facilitate follow-up studies by stressing their importance by encouraging cooperation between legal assistants and employers and by seeing that the information acquired is used in the improvement of the program."

The American Bar Association **Guidelines and Procedures for Obtaining Approval of Legal Assistant Education Programs** contains a complete guide for self-evaluation reports in Part III of that report. This guide, although lacking in some detail, does present useful overall directions for self-evaluation. The significant advantage to following the ABA Guidelines is that strict adherence will almost certainly guarantee approval of the program by the American Bar Association, which will render the program more acceptable to practicing attorneys and will ultimately serve the public more efficiently.

Evaluation by Students

Students can provide some useful information with regard to instructors, the director, and the program. Therefore, they should be provided formal course and instructor's evaluation forms. Students are not the best evaluators of course substance and faculty competence, but they can help to ascertain the interest and enthusiasm of the teacher. Some institutions have felt that student evaluation of instructors depends too greatly upon instructor popularity and ease of grading. For example, one instructor may get high evaluation marks from the students because that instructor is more popular or less strict than another. A particular course may get higher marks than another because it is taught more excitingly. These pitfalls must be considered in coming to any conclusion based on student input.

Student evaluation of the director can be completed by student evaluation of the courses the director teaches. Additionally, informal student comments are a valuable source to the director regarding all phases of program operation, curriculum, and instruction.

Evaluation by Graduates, Employers, and Consultants

Program graduates and employers are a very important source of program evaluation. There should be regular follow-up procedures with both graduates of the program and employers to assess the results. Such evaluation can take the forms of informal meetings, advisory group meetings, written surveys and person-to-person interviews. The ultimate test of the effectiveness of the program is whether the students are trained to perform adequately on the job. Response from employers and grduates will provide information as to the need for altering course curriculum content and teaching strategies. Through this form of evaluation, the program can ascertain whether the proper amount of legal theory is being taught and whether the curriculum is directly related to the present and anticipated job skills needed by graduates.

Outside consultants in legal assistant education can provide very valuable program evaluation. Programs go through growth stages that are fairly predictable, and program needs change significantly as attorney experience with legal assistants increases. Input from other directors is invaluable in anticipating new directions for growth.

Responsibilities — Director and Institution

The director should be extensively involved in evaluation of faculty and the program. Many directors "test" potential teaching candidates by having them do guest lectures in other courses. Student feedback and the director's observations will indicate the ability of the prospective teacher to maintain student interest and to present material in an organized fashion. Once an instructor is hired, the director should bisit the classes on both an informal and formal basis.

The director should be evaluated by instructors in the program. Some institutions have machinery set up to evaluate the effectiveness of administrators — with information often provided through use of evaluating forms.

Other portions of this guide have discussed the responsibilities of the institution with regard to the legal assistance program. The importance of institutional support — including allocation of resources and personnel to get the job done — cannot be overemphasized. That support should continue as the program grows.

CHECKLIST FOR EVALUATION

Guidelines and Self-Evaluation

- Is there realization of the need for continuing maintenance and evaluation?
- Have the requirements of Guideline G-303(D) been met?
- Has work begun on the self-evaluation report for program approval?

Evaluation by Students

- Is there provision for regular formal student evaluation of instructors?
- Is there opportunity for student evaluation of the director?
- Are there informal means for student evaluation of the program operation and curriculum?
- Are the strengths and weaknesses of student evaluation recognized?

Evaluation by Graduates, Employers, and Consultants

- Have regular evaluation procedures with employers and graduates been established?

Are sufficient funds budgeted for use of outside consultants in legal assistant education for program evaluation?

Responsibilities of the Director and the Institution

Is there provision for regular evaluation of faculty and program by the director?

Is there provision for evaluation of the director by program instructors and other instructors in the institution?

Have adequate resources been budgeted and actually provided to implement and maintain a quality program?

ESTABLISHMENT OF AN EFFECTIVE PLACEMENT PROGRAM

The goal of legal assistant programs is to provide an important public service and at once provide individual self-fulfillment through placement of graduates in rewarding jobs. The legal assistant profession is emerging but is not well established in most areas. Few attorneys knew what a legal assistant was ten years ago, and many are now only vaguely familiar with the concept. And the concept is even less well understood by the public.

Attorneys who have not worked with legal assistants usually consider the legal assistant to be a "super-secretary." This is obviously an incorrect perception. However, if attorneys insist on hiring only legal assistants who also have secretarial skills, then consideration must be given to including such training in the curriculum. The program obviously will not be successful if graduates cannot be placed.

A significant proportion of legal secretaries should be admitted during the first two or three years of a program that is new to a given area. They can contribute to promotion of the program by educating their employers about the work of legal assistants. As attorneys gain experience with legal assistants, they will not continue to insist on secretarial skills from graduates. Thus, it is critical that the market be evaluated and admissions and curriculum be geared to meet expressed needs.

The legal assistant market has been "oversold" by some parties in terms of potential employment possibilities. Representations about the availability of employment should be avoided if there is uncertainty about the need for personnel. The size of the program should be kept small until the job market is known. Presently, there is more student demand for admission that there are employment positions. Many programs have been tempted for financial or philosophical reasons to meet the student requests for admission, and these programs have often experienced placement problems.

Contact with graduates should be maintained. They are the best source of information about job availability in their own firms as well as others. They have contacts with many offices other than those where they are employed. Additionally, graduates are an invaluable source for program evaluation.

Basic Elements of Placement

ABA Guideline G-502(a) recommends that the student services of the program include "a well-organized plan for assisting graduates in securing suitable employment." However, few existing programs have the resources available to place both fully and minimally qualified program students (see discussion in Section III on the relationship between admissions policies and placement). Given the other administrative assignments of the program director, placement responsibilities should be delegated to a part-time staff person or to **one** person in the college student services office.

"One person" is stressed because of the need for continuity in building relationships with potential employers over a period of time. Initially, the program director is expected to establish relations with local attorneys since lawyers will be more receptive to persons with background in the legal field than with non-professionals. The placement officer can follow-up on leads initiated by the directors.

The best way to get information about the job market is to ask practicing legal assistants and attorneys. Many samples of surveys are available from the various programs. Pertinent information is that which involves determination of current and future use of legal assistants, identification of people in law offices and in the public sector who are performing legal assistant tasks, and realization of attorneys' perceptions of the role of legal assistants in their firms. It does take time to design a questionnaire that will yeild a high response, but it is worth the time invested since the results can be turned into effective placement activities.

The placement officer needs to establish systems for determining student placement needs, for handling employer requests for referrals, and for getting placement information to the students quickly.

Student placement needs can be obtained at registration by the completion of an information form. Students who wish to participate in placement services should be asked to indicate whether they want part-time or full-time work; temporary or permanent assignment; piecework assignments as independent contractors; day, weekends, or evenings employment; legal secretarial work or only legal assistant work; assignments in certain geographical areas; work in specific areas of interest (litigation, probate, or real estate). They should also be asked to submit current resumes which can be in the format designed by the program.

A worksheet should be developed to handle the information needed from the propsective employer who calls. Some programs have the resources to screen their students and to refer the best candidates; other programs circulate notices to students in their classes or mail them out. Some system must be devised for the rapid conveying of information on job opportunities to the students. Student media can also be used to disseminate employment information. An alternative is to create a regular program newsletter which includes current placement opportunities.

Since placement is what will keep the program going, a placement brochure should be prepared for distribution in the market place. The brochure should give employers at least the following information.

- Who are the students?
- How did they get into the program? What was the screening process
- What can the students actually do What skills are taught in each course that can be used in an office
- What are the economic facts about using legal assistants?
- Who in town is currently using legal assistants (This can be in the form of a clipped-in list so that it can be updated more frequently than the brochure.)
- What are the ethical problems in utilizing legal assistants
- Information about whom to call at the college, attorneys using legal assistants who are willing to discuss their use, what the process is in listing placement opportunities, whether there are interviewing facilities available at the college.

The placement brochure can also include data about recently placed students and a postage-paid card form for requesting further information or for arranging for job interviews on campus. Ideally, the brochure should be distributed three to four times a year to all public sector and private attorneys and where possible to appropriate corporate and trust company offices, unions and financial institutions.

A placement handbook is essential for students. Each locality has its pecularities of practice, and the placement handbook can list placement opportunities.

The placement handbook should contain information on the following:

- Placement office purpose, policies and procedures.
- Legal assisting as a career
- The various forms of private practice in the state or city.
- The public service law agencies.
- Opportunities in federal government.
- Other legal fields.
- Non-legal fields.
- Samples of resumes and cover letters.
- Interviewing techniques.
- Bibliography of materials and placement information available in the college and local law library.
- Listing of local firms.

Program graduates who do become employed as full-time legal assistants need information about other employed students or graduates. Newly-employed legal assistants are somewhat like recent law school graduates who know much about the law but little about the practice of it. Legal assistants have been trained in many practices but do not know such technical skills as handling special pleadings or deciphering medical records. The placement handbook can list the local legal resources (court phone numbers, names of clerks and bailiffs, information about legal service agencies) and can include information about the experience of students. A numbered skills list could be included in the handbook with the skill codes listed with each name.

Obtaining a full-time legal assistant position is an accomplishment, but keeping it is the real test. The legal assistant profession is designed to lower

legal costs for the consumer, and it is essential to establish an attitude and practice of sharing information so the consumers do not have to pay for the "reinvention of the wheel."

The placement handbook may also be the place to list areas for employment that have been talked about but where there has been little movement: state and local government offices, corporate law departments, unions, labor law government offices (unemployment workers' compensation, temporary disability, and employment law enforcement divisions), hospital and other laboIr dispute and arbitration settings, financial institutions, insurance companies, and the court system. Creative student job hunters may be able to open doors to employment in these fields if they are aware of the possibilities.

Preparation for Job Hunting

Job hunting is traumatic if the graduates have little prior work experience. Preparing them for this task is definitely a part of the placement program. It can be done through the cooperative education course and special placement seminars.

In cooperative education, the students can learn how to write resumes, how to apply for jobs at employment agencies, and how to interview for a job with a lawyer. Students can share their experiences, including both successes and failures.

The placement seminar provides an opportunity for students to meet practicing legal assistants and employers to get their perspectives on job applicants. It also gives others a chance to meet the personnel officers of various firms to find out what they expect in resumes and interviews.

Preparation of Attorneys

As has been previously discussed, many attorneys do not know how to utilize a legal assistant effectively. These attorneys view the legal assistant as the "super-secretary," an attitude that results in misuse of legal assistants with secretarial skills and unemployment for legal assistants without secretarial skills. The program should be active in educating attorneys about legal assistants.

One means of educating attorneys is through a seminar for attorneys held in conjunction with a local or state bar function. Many attorneys will attend a bar program but will not attend a program sponsored by the college alone. At the bar session, a particular substantive area, such as divorce, can be used as an example of how legal assistants can be used. Ethical issues relating to delegation of work assignments can be discussed. Attorneys who are considering hiring a legal assistant will also want to know from other attorneys' experiences how they delegate work to their legal assistants. This information should be covered in detail, since attorneys directly or indirectly control the hiring decisions. Most attorneys approach the issue of whether to hire legal assistants with considerable skepticism and conservatism. Information from other lawyers about what and how they delegate and how they get feedback and case status reports is important in overcoming attorney resistance.

Another method of training attorneys in the use of legal assistants involves the use of a local legal assistant department supervisor to analyze the needs of a firm that is considering hiring legal assistants. Such an analysis should point up the economics of using legal assistants and indicate areas where a legal assistant can help the firm serve more clients better.

Other program resources are readily available to assist with placement. The part-time faculty are a valuable source for providing information to other attorneys about legal assistants.

The cooperative education program is another excellent means of introducing attorneys to legal assistants. The cooperative education instructor is available to troubleshoot problem situations for both the attorneys and the students — and cooperative education involves work experience for the student. Often these temporary placements become permanent positions.

In summary, if the program combines a strong admissions program and quality training with vigorous placement efforts, the results will be a viable legal assistant program that meets the needs of students, employers, and the general community.

CHECKLIST FOR AN EFFECTIVE PLACEMENT PROGRAM

Caveats on Placement

Has the relationship of careful admissions selections to job placement been fully realized?

Has the legal assistant job market been overstated?

Has contact been maintained with program graduates even after they find employment?

Basic Elements

Has ABA Guideline 502-(a) been followed Has the job market been thoroughly evaluated?

Is there a placement services office under the direction of a part-time program staff person or

one specific person from the student services staff?

Has an effective placement brochure for employers containing all the essential information been developed?
Is there an effective placement handbook for students and graduates containing essential information?

Preparation for Job Hunting

Has the cooperative education course been used to train students in job hunting skills?
Have special job placement seminars been held with students, graduates, and employers?

Preparation of Attorneys

Are seminars being held for attorneys in conjunction with a local or state bar function?

Has a local legal assistant department supervisor been used to analyze the needs of firms considering hiring legal assistants?

Have part-time faculty been used effectively to provide information to other attorneys about legal assistants and the program?

Is cooperative education used as a means of introducing attorneys to legal assistants?

section IV THE LEGAL ASSISTANT PROGRAM INTRODUCTION

ABA Guideline G-303 provides "the program of education for legal assistants shall be at the post-secondary level of instruction; at least sixty semester or ninety quarter hours or the equivalent of which at least thirty semester or forty-five quarter hours must be comprised of general education and law-related courses with at least fifteen semester or twenty-two and one-half quarter hours comprised of legal specialty courses; and offered by an institution accredited or eligible for accreditation by an agency recognized by the Council on Post-secondary Accreditation (COPA), the U.S. Office of Education or by a nationally recognized institutional accrediting agency acceptable to the committee."

Private, public, and proprietary institutions have been accredited under these guidelines. Guideline G-303 provides a workable baseline, particularly for legal assistant programs located in universities and community and junior colleges.

DETERMINATION OF BASIC OBJECTIVES

The first step in creating the curriculum is to determine the general program objectives. Much should already have been completed during the assessment of need for the program. The director and faculty members should review the local bar survey results and discuss curriculum with the advisory committee. Once objectives have been determined, the curriculum can be designed to meet these objectives. The crucial factor in determining the thrust of the curriculum is that of the employment prospects for graduates. The curriculum obviously should be tailored to provide the type of legal assistants that will be hired by the legal community.

Several major questions must be resolved prior to the actual designing of the curriculum.

Generalist V. Specialist Program.

The generalist legal assistant is one who is trained in several (usually four or five) areas of the law. The generalist is better equipped to work for the small- and medium-sized firms whose members practice in many different legal areas. The specialist is trained extensively in only one legal area. Specialists usually work for large law firms, corporate legal departments, or government agencies.

Day or Evening program.

Section IV discussed the relationship of evening and day programs to the hiring of faculty. Some programs offer both day and evening courses.

Public V. Private Sector Employment.

Virtually all legal assistant programs associated with educational institutions stress private sector employment. While the federal government has developed a legal assistant job series, very few are positions now available. Some programs have included courses directly relevant to public sector legal assistants. The mix of program courses should be related to anticipated employer needs.

Full-time V. Part-time Students.

The number of credit hours taken by each student has a direct relationship to the number of course sections offered and time of course offerings. Evening programs geared to working students will find that these students usually will take only one or two courses each semester.

Training, Re-training or upgrading.

Many legal assistant programs in areas where attorneys are not familiar with the utilization of legal assistants have decided initially to train a significant percentage of law office personnel. The relationship of admissions and placement is discussed in Section III.

Recent Graduates or More Mature students.

The difficulties encountered when a program takes a number of recent high school graduates are discussed in Section III.

DETERMINATION OF COURSE OFFERINGS

The following skills have been identified by the American Association of Community and Junior Colleges as "core skills" which should be included somewhere in every curriculum. These skills include knowledge of:

- legal systems
- role of legal assistant
- ethics
- counseling
- interviewing
- negotiation
- advocacy
- investigation
- law office management
- legal research
- legal writing
- job-getting skills

To teach these core skills to students, some programs have designed basic required courses in the legal system, legal research, legal writing, law office management, and interviewing and counseling. Other programs have attempted to teach the skills as part of the various substantive law courses. For examples of how some legal assistant programs have included core skills in their curricula, see the lists of course descriptions in this Section.

The substantive courses developed should respond directly to the needs expressed by attorneys in the survey taken prior to the establishment of the program. Most programs have found that the five basic substantive law subjects are: litigation, real estate law, family law, business organizations, and wills/probate. Additionally, there are significant advantages to offering a cooperative education experience, as discussed later in this Section. Other possible substantive course offerings include: criminal, labor, tort and insurance, taxation, administrative, public sector, consumer, bankruptcy, and constitutional law.

TEXTBOOKS AND MATERIALS

Lack of complete commercial publications is a problem. There are very few textbooks in legal assistant education that are considered adequate. It is necessary, therefore, to extensively supplement existing texts with forms and materials from the instructors' practice. The lack of textbooks is due to both the newness of the field and the variety of practice forms and procedures developed and used in different geographical areas. Instructors and students usually feel more comfortable when some text is used; however, materials developed by the local program will comprise the major source.

Developing local materials is a difficult task, one that requires time and money. The scarcity of published works should be recognized by institutions planning legal assistant programs — and they should be prepared to invest substantial amounts of money and faculty time to build the curriculum bank.

The director should coordinate the efforts of the faculty to develop the materials, to ensure that there is no duplication, and that all intended topics are included in the curriculum.

The first step in developing materials is to select an expert in the subject area who has sufficient time to prepare them. The person should be compensated for the work, with payments conditioned upon a final product that conforms to guidelines set by the director. Insofar as possible the same person who writes the materials should teach the course. The additional income enhances the job of the part-time instructor and, more importantly, helps to ensure development of usable materials.

The person selected to write the materials should analyze his or her law practice and the practice of others in the community to identify the types of skills that a legal assistant can perform in the subject area. These skills or competencies should then be listed in terms of student behavior, i.e., "the student will be able to gather pertinent facts and then draft a will."

This list of competencies must then be organized into a logical sequence for each class session. From this the instructor can prepare the class calendar, assignments, and teaching strategies. This basic information should be assembled into a course syllabus. The contents of the course syllabus is discussed in Section III.

The most difficult part of developing good curriculum materials is to get the "experts" to become experts in teaching techniques and methodology as well as in the subject matter. The instructors should be encouraged to develop numerous alternatives to the lecture as a teaching strategy. It is suggested that the director insist that no more than 50% of the class time be devoted to lecture as has been pointed out earlier.

The director should prepare written suggestions of alternatives to classroom lecture — including role playing, small group dynamics, in-class assignments with individual consultations, mock hearings, feedback sessions, and pre-testing as a springboard to learning. To improve the student interest level, instructors should encourage questions and dialogue. The instructor should share personal experiences and stories. Class problems and assignments should be practical and interesting, and simulations can be followed by critique

sessions where students share and analyze their efforts.

COOPERATIVE EDUCATION EXPERIENCE

Cooperative education should be a part of every program. Its primary purpose is to provide an opportunity for students to work in a legal assistant capacity under the supervision of an attorney and a program director. Students can apply learned skills to real situations. Cooperative education is also a great student confidence builder and a good reference for future jobs. Often cooperative experience will translate into a permanent full-time position.

The instructor of cooperative education should evaluate an internship position against the purposes described above. Given the nature and importance of the internship to the success of the program, both the director and course instructor should take sufficient time to cultivate quality internship positions. As discussed in Section II, the director should be given adequate released time to perform this and other functions.

There should be a written cooperative education agreement between the student, the instructor, and the attorney. The instructor should agree to provide supervision of the student, and the student should agree to work a certain number of hours and weeks for the attorney. The attorney should analyze his or her practice and agree to delegate certain tasks to the legal assistant. If the attorney is experienced in the use of legal assistants and is already in the habit of delegating work, the student should undertake tasks similar to those of other legal assistants already working in the office. Proper delegation of work ensures that the students will have a minimum of clerical duties and can demonstrate to the attorney the contribution a legal assistant can bring to an office. The duties the student will perform should be listed on the agreement form.

The cooperative education experience is more satisfactory if the student is not compensated, since this gives the director or instructor more control over the type of work performed. If the employer is paying the student, he or she may attempt to assign tasks that do not fit the role of the legal assistant. The situation then becomes more of a traditional employer-employee relationship and less of a learning experience for the student.

COMPETENCY-BASED INSTRUCTION (CBI)

A good legal assistant program lends itself to a competency-based instructional system. With CBI, the training for specific skills can easily and logically be organized into competencies. CBI consists of writing objectives for each class session in terms of student behavior. For example, "Given a court opinion, the student will be able to identify the issue(s) with 100% accuracy." Each competency should contain a measurable statement whenever possible Each class period should have three to seven competencies. The competency descriptions are distributed to the students at the beginning of the course, which allows students to avoid the usual guessing games regarding the instructor's preferences. Students are then evaluated by testing to ascertain whether they have mastered the competencies. Mastery of the competencies will insure success in the course. While CBI may appear to involve a great deal of work, it is actually an easy way for teachers to plan and organize courses. (For further information on instructional objectives and competencies, see Mager, Robert F., **Preparing Instructional Objectives,** Fearon Publishers: Belmont, CA 1962.)

The outlines shown in the Appendix are samples of course materials for an Introduction to Paralegalism which has been developed as a CBI course:

CHECKLIST FOR THE CURRICULUM

ABA Guidelines

Has the program been designed to conform to Guideline G-303?

Determination of Basic Objectives

Has the curriculum been planned and designed to meet projected employment needs? Are the following major issues resolved:

a. generalist v. specialist program?
b. day or evening program?
c. public v. private sector employment?
d. full-time v. part-time students?
e. training new personnel or re-training and uptrading law office personnel?
f. recent high school graduates or more mature students?

Determination of Course Offerings

Has the curriculum been designed to include the basic core skills?

Does the curriculum provide substantive courses in the various areas of employer needs?

Textbooks and Materials

- Has there been a review of available texts for each of the courses?
- Has the best available text been selected for each course?
- Has the necessary financial commitment been made to develop local materials?
- Has an expert been found to write the materials and teach the course?
- Has the expert been given sufficient guidelines for developing course materials?
- Have instructors been provided with sufficient teaching techniques in addition to lectures?

Cooperative Education Experience

- Have the purposes of cooperative education been determined?
- Has written agreement between instructor, student, and employer been developed?
- Is there a policy with regard to whether students are to be paid for the internship experience?

Competency-Based Instruction

- Has competency-based instruction been considered for various courses?
- Have instructors been oriented to possible application of CBI to the courses?

Curriculum Outline

A model curriculum is presented here. It should serve as a basis for curriculum planning. However, experience has shown that one model is not adequate for all programs. Thus, the options developed by the six AACJC demonstration colleges are presented for examination in the Appendices. No one curriculum should be adopted in its totality and careful consideration should be given to local priorities in structuring the curriculum.

CURRICULUM OUTLINE

First Semester

Introduction to the Legal System	3
Legal Research	3
Accounting I	3
Business Law I	3
English Composition	3
	15

Second Semester

Legal Writing	3
Legal Interviewing & Counseling	3
Business Law II	3
Political Science	3
Elective	3
	15

Third Semester

Law Office Management	3
Cooperative Internship	3
Estate Probate	3
Career Elective	3
Business Elective	3
	15

Fourth Semester

Litigation	3
Career Elective	3
Social Science Elective	3
Elective	3
Elective	3
	15

Career Electives

Administrative Law
Corporations and Commercial Law
Criminal Law
Family Law
Real Property Law
Tort and Insurance Law

DESCRIPTION OF REQUIRED COURSES

Introduction to the Legal System

The course is designed to provide a general perspective of the legal system and a specified knowledge of the present and potential role of the legal assistant within that system. Students will be exposed to the operations and structures of the court system, administrative agencies, private law firms, public sector law offices, legal clinics, and pre-paid legal plans. Significant consideration will be given to legal ethics in evaluating what tasks, skills, and roles are now and may in the future be fulfilled.

Course objectives are to provide working knowledge of the present structure of the legal system in the state, to provide an understanding of the basic legal issues facing a legal assistant, to provide a perspective on the possible future developments in the use of legal assistants in the law, including legal insurance plans and legal

clinics, practice of law, the statutory framework for the prevention of unauthorized practice and the Code of Professional Responsibility.

Legal Research

This course is designed to provide the students with a working knowledge of the major techniques of legal research. Students will complete assigned problems in legal research. Course objectives are to bring to students a familiarity with major books in the law library. In addition, the course will give students a basic knowledge of Shephard's Citations, West Digest system and key numbers, American Law Reports, legal periodicals, state revised statutes, state digests and legislative history research regarding the state legislature.

Legal Writing

This course is designed to provide the student with a working knowledge of the major techniques of legal writing. Students will prepare office memoranda. Students will acquire a basic knowledge of the format of a legal memorandum, the purpose of a legal memorandum, the proper forms for legal citations, and the drafting of extensive intra-office memoranda, and other legal documents.

Legal Interviewing—Counseling

This course is designed to sharpen verbal communication skills. Students will receive training in interviewing techniques, negotiation, and counseling. Role-playing and video tape will be utilized to assist in the development of verbal skills.

The course objective is to improve ability in verbal communication and interviewing, counseling, negotiating and advocacy situations. The student will be prepared to conduct fact-finding interviews with clients, to listen effectively, to provide counseling assistance where appropriate, to handle the difficult case and to negotiate with governmental agencies and attorneys.

Law Office Management

This course analyzes the fundamental objectives of the management of a law office, the various machines used in a law office, basic indexing and filing principles, and accounting methods. Major attention will be given to the development of and use of systemization in the law office, in the expectation of increasing efficiency to reduce legal costs.

Course content includes principles of law office management, personnel in a law office, machines used in a law office, the anticipated use of computers in a law office, basic indexing and filing principles, the use of monitor systems to prevent malpractice suits, accounting methods used in the practice of law, and the development and use of "systems" in law office practice.

Cooperative Internship

The main objective of this course is to provide the student with an opportunity to observe and gain practical work experience under the supervision of an attorney, legal assistant, or other legal personnel. During the semester, the student will meet regularly in seminars with the instructor to discuss and evaluate the progress in the field experience and to discuss his/her role in the legal services delivery team.

Estate Probate

This course provides the basic legal concepts of the more common forms of wills and trusts, as well as intestacy; a study of the fundamental principles of law applicable to each; the organization and jurisdiction of the probate court; and an analysis of estate administration and fiduciary accounting.

The student will be able to understand the more common forms of wills, trust agreements, applying the principles of law applicable to estates and trusts. The student will understand the jurisdiction and procedure of the state probate court system and the administration of trusts and estates. The student will be able to prepare estate and fiduciary probate forms and assist in preparing tax returns.

Course objectives are to enable the student to have a knowledge of the legal history of estates and the planning procedures that have developed over the years and be cognizant of the legal terms used to describe the various components of estate planning.

Litigation

This course is to provide an understanding of the fundamental principles of the preparation for trial of civil and criminal cases. Upon completion of this course, the successful student will be able to draft pleadings, motions and other documents required in either a civil or criminal action; understand trial and appeal procedures; and understand the forms and procedures required by the court clerk's office.

DESCRIPTION OF CAREER ELECTIVES

Administrative Law

This course will analyze the function of various government agencies and the scope of their involvement with the legal field.

Course objectives include those of providing the student with knowledge of the function of administrative agencies and how the legal assistant can perform many services in the public sector of government agencies, enabling the student to perceive the concomitant development of administrative law with the growth of public administration, enabling the student to perceive the administration of justice in public administration, enabling the student to delineate between "due process" in criminal justice and civil justice, and enabling the student to observe the role of "hearing officers."

Corporations and Commercial Law

This course is to teach students a general understanding of businesses in various forms and to convey a general understanding of the laws governing business transactions. Students will learn the basic law of contracts, partnerships, corporations and the Uniform Commercial Code. Emphasis will be on drafting documents appropriate to various business transactions.

Criminal Law

A general survey course of study will be pursued to permit the students to gain a comprehensive understanding of the provisions of the State Criminal Code and other statutory provisions relating to criminal acts.

The content of the course will include the court system and how it works; the criminal justice system from arrest to trial decisions; elements of various crimes such as murder, rape, larceny, conspiracy, etc.; and criminal procedure questions such as search and seizure, Miranda warnings, suppression of evidence.

Family Law

This course will cover the basic substantive law in the area traditionally known as "family law." Subjects covered will be adoptions; guardianships; non-support; uncontested and contested divorces; child custody; and paternity. The emphasis of the class will be upon training the student in the skills necessary to a legal assistant working in the area of family law. This will include the use of family court forms, the preparation of pleadings and proposed decrees, the drafting of property settlement agreements, and the use of interviewing checklists.

Real Property Law

This course will cover general real property law, purchase and sales agreements, mortgages, leases, easements, deeds, closings and recordings of documents and title searches.

Course objectives are to provide the basic concepts of the law of real property, including leases, purchase and sales agreements, options, easements, deeds, and closing procedures, recording and searches.

The student will be able to draft leases, purchases and sales agreements, mortgages, notes, options, easements, and deeds. The student will understand closing procedures. The student will be able to do title searches and abstracts.

Tort and Insurance Law

This course prepares the student to assist attorneys and corporations in tort and insurance law. The course covers the primary legal principles of tort and insurance law and the various means of establishing insurance plans. Students will be trained in the use of specific forms and procedures utilized in tort and insurance work.

Course content includes intentional torts, negligence, causation, proximate cause, strict liabilities, employer's liability, nuisance, misrepresentation, liability insurance, and casualty insurance.

section V COURSE OUTLINES

The course outlines suggest material which might be covered in a typical course on the specific area of law. Obviously, modification of both curriculum and course content will occur based on the needs identified by the local advisory committees and employers. The material presented here has been reviewed by instructors representing quality legal assistant programs.

Each course outline includes performance objectives for the student. These are stated in terms of what the student should be able to do as a result of the course instruction. The objectives are derived from the nature of the tasks the legal assistant will be required to perform. Course content, instructional methodology and course materials are designed to meet the stated objectives. Objectives should be revised or expanded to meet the level of performance required and new objectives constructed to meet local requirements.

A list of suggested texts and references has been included for each course. This list is not exhaustive and additional reference works are readily available. However, few textbooks have been produced specifically for legal assistant programs. Consequently, there is a paucity of suggested texts. Instructors will often have to develop their own materials for classroom use. (See Section IV, Textbooks and Materials.)

These course outlines cover only the basic courses common to most legal assistant programs. Additional courses should be developed to suit the needs of the local community. Such technical specialty courses as consumer law, environmental law, bankruptcy, rights of the disadvantaged, labor law, or women and the law might be considered, depending on the need and advice of the advisory committee. In addition, no attempt has been made to outline non-technical courses which would normally be offered by the institution. Thus, although English Composition, Accounting I, Typing and so forth are common to many programs, they are not included in the course outlines since they are assumed to already be in existence.

REQUIRED COURSES

INTRODUCTION TO THE LEGAL SYSTEM

Hours Per Week

Class: 3

Course Description

This course is required for all degree candidates in the Legal Assistant Program. The course is designed to provide a general perspective of the legal system and a specific knowledge of the present and potential role of the legal assistant within that system. Students will be exposed to the operation and structures of the court system, administrative agencies, private law firms, public sector law offices, legal clinics, and pre-paid legal plans. Significant consideration will be given to legal ethics in evaluating what tasks, skills, and roles are now and may in the future be fulfilled by the legal assistant in each legal area.

Major Divisions

I. An Overview of the Legal System and the Role of the Legal Assistant
II. Legal Ethics, Unauthorized Practice, and the Code of Professional Responsibility
III. The Legal Assistant in the Operation and Structure of Legal Insurance Plans, Legal Clinics, etc.
IV. Instructional Methodology
V. Texts and References

I. An Overview of the Legal System, and the Role of the Legal Assistant

A. Performance Objectives

1. The student should be able to discuss and outline the legal system of the state by showing the structure of and appropriate relationships between the various governmental units.
2. The student should be able to define the jurisdictional powers for the various courts.

3. The student should have a working familiarity with basic legal terminology and law office structure.

B. Units of Instruction

1. Structure of the federal court system.
2. Structure of the state court system.
3. Jurisdictional amounts that can be handled in various court systems.
4. Basic litigation concepts and the appeals procedure from various state and federal courts.
5. Structure of a law office, including the personnel involved and the division of labor among them.
6. Differences in law practice between a large and small law firm.
7. Agencies and organizations operating as law offices in the state.
8. Administrative agencies that deal with legal or quasi-legal issues.

II. Legal Ethics, Unauthorized Practice, and the Code of Professional Responsibility

A. Performance Objectives

1. The student should be able, either in writing or orally, to describe ethical standards affecting the legal assistant in relationship to specific ethical problems.
2. The student should develop a clear definition of the unauthorized practice of law and be able to give examples of such practice.
3. The student should be able to relate the Code of Professional Responsibility to specific problems and give, either in writing or orally, the correct ethical solution to various problems.

B. Units of Instruction

1. The statutory framework that operates to prevent the unauthorized practice of law.
2. The function of the bar committee on the unauthorized practice of law.
3. The function of the bar committee providing for discipline of attorneys.
4. The definition of the "unauthorized practice of law."
5. The Code of Professional Responsibility and how it relates to the legal assistant.
6. The issues pro and con of accreditation of legal assistant training programs.
7. The issues pro and con of certification of practicing legal assistants.

III. The Legal Assistant within the Operation of Legal Insurance Plans, and Legal Clinics.

A. Performance Objectives

1. The student should be able to prepare a chart showing the relationships of new and current legal plans such as legal insurance plans, legal clinics, and others.
2. The student should be able to define the role and function of the legal assistant in each such plan.

B. Units of Instruction

1. The various legal insurance plans presently in existence in the United States.
2. The various legal clinic structures, including a discussion of Jacoby & Meyers.
3. The role that legal assistants might play in either legal insurance schemes or legal clinics.
4. The advantages and disadvantages of allowing legal assistants to practice without the direct supervision of an attorney (where this is not unauthorized practice).

IV. Instructional Methodology

A. New material is introduced by lecture.
B. Guest lecturers speak on such topics as local legal clinics, the bar association censor committee, etc.
C. Students participate in class discussion.

V. Texts and References

A. Statsky, **Introduction to Paralegalism,** West Publishing Company, St. Paul,

Minnesota, 1974 plus 1977 supplement.

B. American Bar Association, **Code of Professional Responsibility,** as adopted in your state.

LEGAL RESEARCH

Hours Per Week

Class: 3

Course Description

This course is required for all students in the Legal Assistant Program. It is designed to provide students with a working familiarity with major books in the law library. It includes practice in finding and interpreting statutes, case law and administrative regulations. It also gives the student experience in using digests, citators, ALR, encyclopedias and hornbooks.

Major Divisions

I. Overview of Legal Research
II. Statutes
III. Case Law
IV. Miscellaneous Research Volumes
V. Instructional Methodology
VI. Texts & References

I. Overview of Legal Research

A. Performance Objectives

1. The student should be able to explain why legal research is an important skill for the legal assistant.
2. The student should be able to identify sources of the law.
3. The student should be able to distinguish between official and unofficial sources of law and between primary and secondary sources.
4. The student should be able to plan a research project.

B. Units of Instruction

1. The Purpose of legal Research.
2. The Legal Assistant and Legal Research
3. The Legal System: Sources of the Law
   a. Executive
   b. Legislative
   c. Judicial
4. Official and Unofficial Sources
5. Primary and Secondary Sources
6. Legal Terminology

II. Statutes

A. Performance Objectives

1. The student should be able to read and interpret a statute by applying it to a fact situation.
2. The student should be able to locate federal and state statutes.
3. The student should be able to correctly cite a statute.
4. The student should be able to Shepardize a statute.

B. Units of Instruction

1. Drafting Statutes As an Exercise in Understanding.
2. Federal Statutes.
3. State Statutes
4. How to Read
5. How to Paraphrase
6. How to Locate
7. How to Apply a Statue to a Fact Situation
8. Correct Citation Form
9. Legislative History
10 Shepardizing a Statue

III. Case Law

A. Performance Objectives

1. The student should be able to brief a case and correctly apply it to a fact situation.
2. The student should be able to locate a case using the digest system.
3. The student should be able to correctly cite a case.
4. The student should be able to shepardize a case.

B. Units of Instruction

1. The Federal and State Reporter Systems.

2. How to Read and Brief Cases.
3. Precedent and Analogy - Applying Case Law to a Fact Situation.
4. Using a Digest to Find Cases.
5. Correct Case Citation.
6. Shepardizing a Case.

IV. Miscellaneous Research Volumes

A. Performance Objectives

1. The student should be able to locate information in all volumes.
2. The student should be able to apply the information to a fact situation.
3. The student should be able to cite information correctly.

B. Units of Instruction

1. Hornbooks and Treatises
2. Constitutional Material
3. American Law Reports
4. Words & Pharases: Dictionaries
5. Legal Periodicals
6. Looseleaf Services
7. Restatements
8. Administrative Law
9. Attorney General opinions

V. Instructional Methodology

A. New information is introduced by lecture.

B. Practice assignments are made for each set of volumes.

VI. Texts & References

A. Price and Bitner, **Effective Legal Research;** Little, Brown and Company, Boston, 1969.

B. Harvard Law Review, **A Uniform System of Citation,** Lorell Press, Massachusetts, 1976.

C. Pollack, **Fundamentals of Legal Research,** Foundation Press, Brooklyn, 1967.

D. Cohen, **How to Find the Law,** 7th Ed., West Publishing Company, St. Paul, Minnesota, 1976

E. Statsky, **Legislative Analysis: How to Use Statutes and Regulations,** West Publishing Company., St. Paul, Minnesota, 1975.

F. Statsky & Wernet, **Case Analysis & Fundamentals of Legal Writing,** West Publishing Company, St. Paul, Minnesota, 1977.

G. Rombauer, **Legal Problem Solving: Analysis, Research & Writing,** West Publishing Company, St. Paul, Minnesota, 1978.

H. Statsky, **Legal Research, Writing and Analysis: Some Starting Points,** West Publishing Company, St. Paul, Minnesota, 1974.

LEGAL WRITING

Hours Per Week

Class: 3

Course Description

This course is required for all program degree candidates. Students will concentrate on familiarizing themselves with the language and format of legal documents. Emphasis will be on writing inter-office memoranda after completing any necessary legal research but other documents such as business letters, briefs, pleadings, contracts, wills, partnership agreements and corporation papers will be introduced. Legal research is a prerequisite.

Major Divisions

I. Introduction
II. Inter-office Memoranda
III. Appellate Briefs
IV. Pleadings
V. Letters
VI. Miscellaneous Documents
VII. Instructional Methodology
VIII. Texts

I. Introduction

A. Performance Objectives

1. The student should be able to explain the importance of good legal writing techniques for the legal assistant.

2. The student should be able to identify steps in the writing process.
3. The student should be able to use proper legal terminology.
4. The student should be able to use correct citation forms.

B. Units of Instruction

1. Importance of Legal writing for the Legal Assistant
2. The Writing Process
   a. Pre-writing
   b. Comprehensive Working Outline
   c. Rough Draft
   d. Revision
3. Use of Advocacy in Legal Writing
   a. How to Use It Appropriately
   b. Techniques of Persuasion
4. Review of Legal Terminology
5. Review of Legal Citation Forms

II. Inter-office Memoranda

A. Performance Objectives

1. The student should be able to organize and draft an inter-office memorandum.
2. The student should be able to use proper terminology and citation forms.

B. Units of Instruction

1. Purpose
2. Format
3. Organization, Style, Content

III. Appellate Briefs

A. Performance Objectives

1. The student should be able to organize and draft an appellate brief.
2. The student should be able to use proper terminology and citation forms.

B. Units of Instruction

1. Purpose
2. Format
3. Organization, Style, Content

IV. Pleadings

A. Performance Objectives

1. The student should be able to explain the purpose of various pleadings.
2. The student should be able to draft various pleadings.
3. The student should be able to use form books and other forms as a guide in drafting.

B. Units of Instruction

1. Using Forms Files and Form Books correctly.
   a. What they are
   b. How to locate information
   c. Avoiding abuse of forms
2. Purpose and Content
   a. Complaint
   b. Answer
   c. Order for Judgement
   d. Motions
   e. Discovery Devices

V. Letters

A. Performance Objectives

1. The student should be able to draft an opinion letter.
2. The student should be able to draft a letter requesting information.
3. The student should be able to draft a letter answering inquiries.

VI. Miscellaneous Documents

A. Performance Objectives

1. The student should be able to draft each of the various documents.
2. The student should be able to research the legal requisites of each of the documents.
3. The student should be able to use form books and other forms as a guide in drafting.

B. Units of Instruction

1. Review of Use of Forms
2. How to determine the local requirements for various documents.

3. Content
   a. Contracts
   b. Wills
   c. Lease
   d. Partnership Agreement
   e. Corporate Documents
   f. Power of Attorney

VII. Instructional Methodology

A. New material is introduced by lecture.
B. Problems are assigned to students in each area.

VIII. Texts and Reference Materials

A. Dickerson, **The Fundamentals of Legal Drafting,** Little, Brown & Co., Boston, 1965.
B. Stratsky & Wernet, **Case Analysis and Fundamentals of Legal Writing,** West Publishing Company, St. Paul, Minnesota
C. Harvard Law Review, **A Uniform System of Citation,** Lorell Press, Boston, 1976.
D. Brand & White, **Legal Writing: The Strategy of Persuasion,** St. Martin's Press, New York, 1976
E. Rombauer, **Legal Problem Solving: Analysis, Research & Writing,** West Publishing Company, St. Paul, Minnesota, 1978
F. Statsky, **Legal Research, Writing and Analysis:** Some Starting Points, West Publishing Company, St. Paul, Minnesota, 1974

LEGAL INTERVIEWING AND COUNSELING

Hours Per Week

Class: 3

Course Description

This course is designed to sharpen verbal communication skills. The student will receive training in interpersonal communication, in interview techniques, and in counseling. The student will learn to plan interviews and use interview checklists, as well as to listen effectively. Role-playing and video-tape will be used to assist in the development of verbal skills.

Major Divisions

I. Interpersonal Communication
II. Interview Techniques
III. Instructional Methodology
IV. Texts and References

I. Interpersonal Communication

A. Performance Objectives

1. The student should be able to explain how an understanding of psychological principles can contribute to better communication.
2. The student should be able to list obstacles to communication and methods for overcoming these.

B. Units of Instruction

1. Psychological Principles
   a. Transactional Analysis
   b. "Helping Relationship" of Carkoff & Berenson
2. Listening Techniques
3. Obstacles to Communication
4. Use of open-ended questions as opposed to structured questions.
5. Arrangement of office furniture in method conducive to effective interviewing.

II. Interview Techniques

A. Performance Objectives

1. The student should be able to plan and complete an interview.
2. The student should be able to list types of information essential to a legal interview.
3. The student should be able to assess the impact an interview would have on a jury.

B. Units of Instruction

1. Interview Approaches
   a. Structured
   b. Client-centered
   c. In-depth
   d. Group
   e. Stress

2. Typical legal interviews
   a. Initial client
   b. Follow-up client
   c. Witness
      (1) Friendly
      (2) Neutral
      (3) Hostile
3. Essential Information
   a. Name
   b. Address
   c. Telephone
   d. Occupation
   e. Nature of Problem
   f. Steps client should take
   g. Steps office will take
4. Miscellaneous Issues
   a. Explaining role as Legal Assistant
   b. Handling the irate or upset client
   c. Discussing fees if appropriate
   d. Determining client eligibility if appropriate
   e. Use of interview check-lists

III. Instructional Methodology

A. New material is introduced by lecture
B. Students role-play interview situations
C. Outsiders are brought in for students to interview
C. Video-tape is used so that students may critique themselves and see improvement from beginning of course to end.
E. Critiques by other class members

IV. Texts and References

A. Shaffer, **Legal Interviewing and Counseling** (Nutshell Series), West Publishing Company, St. Paul, Minnesota, 1976.
B. Bingham, **How to Interview,** Harper & Bros., 1959.
C. Garrett, **Interviewing: Its Principles & Methods,** Family Association of America, 1972.
D. Statsky, "Legal Interviewing", **Introduction to Paralegalism,** West Publishing Company, St. Paul, Minnesota, 1974.

LAW OFFICE MANAGEMENT

Hours per Week

Class: 3

Course Description

The need for legal serivces at a reduced cost has necessitated review of all phases of law office procedures in the hopes of achieving savings that can benefit clients. This course analyzes the fundamental objectives of the management of a law office, the various machines used in a law office, basic indexing and filing principles, and accounting methods. Major attention will be given to the development of and use of systemization in the law offices, in the expectation of increasing efficiency to reduce legal costs.

Major Divisions

I. Principles of Law Office Management
II. Law Office Personnel
III. Machines Used in a Law Office and the Anticipated Use of Computers
IV. Basic Indexing and Filing
V. Accounting Methods Used in a Law Office
VI. The Use of "Systems" in Law Office Practice
VII. Miscellaneous Law Office Management Techniques
VIII. Instructional Methodology
IX. Texts and References

I. Principles of Law Office Management

A. Performance Objectives
   1. The student should know and be able to apply the principles of law office management.
   2. The student should be able to relate all procedures and factors involved with the management of a law office to the basic principles.

B. Units of Instruction
   1. Classical Organization Theory
   2. Human Relations Theory
   3. Implications for Efficient Handling of Law Office Personnel

II. Law Office Personnel

A. Performance Objectives

1. The student should be able to identify personnel in relation to size of law firm.
2. The student should be able to understand the interrelationship of all personnel and their functions.
3. The student should be able to make personnel assignments appropriate to function.

B. Units of Instruction

1. Identification and Function of Law Office Personnel
2. Interviewing and Hiring Law Office Personnel
3. Supervising and Marking Assignments to Law Office Personnel

III. Machines Used in a Law Office and the Anticipated Use of Computers

A. Performance Objectives

1. The student should be to describe and operate machines used in the law office.
2. The student should be able to participate in the decision to purchase office machines.
3. The students should be able to describe the need for and anticipated use of computers.

B. Units of Instruction

1. Deciding to Use Office Equipment
   a. Management Considerations
   b. Cost factors
   c. Buying versus Leasing
2. Function and Use of Office Machines
   a. Dictating Equipment
   b. Copying Equipment
   c. Typewriters and Automatic Typewriters
3. Use of Computers
   a. Legal Research
   b. Litigation
   c. Billing

IV. Basic Indexing and Filing

A. Performance Objectives

1. The student should be able to understand thoroughly the principles of indexing and filing in a law office.
2. The student should be able to set up an indexing and filing system.

B. Units of Instruction

1. How to Set Up a Filing System
   a. Alphabetical
   b. Numerical
   c. Alpha-numeric
2. How to Open and Close Files
3. Information Contained in Files
4. Centralized vs. Decentralized Filing
5. Developing a Retrieval System
   a. Form Files
   b. Keysort Method of Retrieval

V. Accounting Methods Used in a Law Office

A. Performance Objectives

1. The student should be able to explain the need in a law office for an effective accounting and reporting system.
2. The student should be able to apply and use basic accounting procedures and methods of a law office.

B. Units of Instruction

1. Importance of Timely Billing
2. Ways of Billing Clients
   a. Hourly
   b. Retainer
   c. Contingent Fee
   d. Percentage
   e. By the Case
3. Ledger Bookkeeping Systems
4. Write-it-Once Bookkeeping Systems

VI. The Use of "Systems" in Law Office Practice

A. Performance Objectives

1. The student should be able to define what is meant by "systems" and how

this kind of procedure, planning and developing a systems approach, can aid in effective law office management.

2. The student should be able to tell how "systems" differ from other, more traditional, law office management approaches.
3. The student should be able to develop effective systems management.

B. Units of Instruction

1. Systemization of Law Office Management.
2. Developing the Systems Approach
3. Traditional Principles and Procedures for Law Office Management Compared with a System Approach.

VII. Miscellaneous Law Office Management Techniques

A. Performance Objectives

1. The student should be able to describe a law office staff manual.
2. The student should be able to describe and explain the usefulness of various timekeeping systems.
3. The student should be able to describe and explain the usefulness of various monitor systems.

B. Units of Instruction

1. Law Office Staff Manual
   a. What it contains
   b. Why it is Desirable
2. Time Keeping Systems
   a. Why Time Keeping is Desirable
   b. Various Time Keeping Systems
   c. Procedures for Implementing Time Keeping Systems Effectively
3. Calendar and Monitor Systems
   a. Definition
   b. Explanation of several types
      (1) Diary
      (2) Slip/Perceptual Calendar
      (3) File Notation
   c. Evaluation of types

VIII. Instructional Methodology

A. New material is introduced by lecture.
B. Salesmen from various companies make presentations regarding the use of equipment, bookkeeping systems, etc.
C. Students are given sample forms to fill out.

IX. Texts and References

A. Strong and Clark, **Law Office Management,** West Publishing Company, St. Paul, Minnesota, 1974
B. Altman and Weil, **How to Manage the Law Office,** Matthew Bender, New York, looseleaf service-updated regularly.
C. **Manual for Managing the Law Office,** Prentice Hall, New York, looseleaf service, up-dated regularly.
D. **Legal Economics,** quarterly publication of the American Bar Association Section of Economics of Law Practice.
E. Law Research Institute, 220 South 200 East Suite 320, Salt Lake City, Utah 84111: Various systems manuals and publications for the law office.
F. Ramo, Editor, **How to Create-A-System for the Law Office,** American Bar Association, Section of Economics of Law Practice.

COOPERATIVE INTERNSHIP

Hours Per Week

Class: 1
Field Assignment: Varies

Course Description

The main objective of this course is to provide the student with an opportunity to observe and gain practical work experience under the supervision of an attorney, legal assistant or other legal personnel. During the semester, the student will meet regularly in seminars with the instructor to discuss and evaluate the progress in the field experience and to discuss his/her role in the legal services delivery team.

Major Divisions

I. Work Experience
II. Seminar

III. Instructional Methodology

IV. Texts and References

I. Work Experience

A. Performance Objectives

1. The student should be able to perform the specific task described in the written agreement with the employer.
2. The student should be able to exhibit behavior appropriate to a legal office setting.

B. Units of Instruction

On-the-Job Experience
(Note: Tasks and on-the-job experience will vary substantially depending on the job site)

II. Seminar

A. Performance Objectives

1. The student should be able to define the role of the legal assistant in the delivery of legal services.
2. The student should be able to describe the procedures and policies of the office in which he worked.
3. The student should be able to identify attitudes essential to the "service to the public" concept.

B. Units of Instruction

1. Discussion of Work Attitudes
   a. Job Responsibilities.
   b. Responsibilities to Fellow Workers, Employers and Clients.
2. Discussion of Role of Legal Assistant.
3. Preparation for the job.
   a. Resume Writing
   b. Job Interview
4. Discussion and Written Evaluation of Job Experience by Student.
5. Discussion and Written Evaluation of Job Performance and Attitudes by Supervisor and Instructor.

III. Instructional Methodology

A. The students role play as practice for interviews.
B. The students hear lectures by employers and legal assistants on the proper role and attitudes of legal assistants.
C. The students discuss job experiences.
D. The students participate in on-the-job training.

IV. Texts and References

A. Handouts, sample resumes, etc.
B. Form necessary to complete co-op assignment.

ESTATE PROBATE

Hours Per Week

Class: 3

Course Description

This course is to provide the basic legal concepts of the more common forms of wills, trusts and intestacy. It includes a study of the fundamental principles of law applicable to each, as well as the organization and jurisdiction of the probate court. The course also gives an analysis of estate administration and fiduciary accounting. The student will be able to understand the more common forms of wills, trust agreements and intestate estates. The student will be able to prepare estate and ficuciary probate forms and assist in preparing tax returns.

Major Divisions

I. History of Estate Planning and Definition of Terms
II. Preparation of Trusts and Wills
III. Probate Procedures, Forms Required and Estate Taxes
IV. Instructional Methodology
V. Texts and References

I. History of Estate Planning and Definition of Terms

A. Performance Objectives

1. The student should have a knowledge of the legal history of estates and the

planning procedures that have developed over the years.

2. The student should be cognizant of the legal terms used to describe the various components of estate planning.

B. Units of Instruction

1. A History of Estates Planning
2. Current Estate Planning
3. Definition of Terms

II. Preparation of Trusts and Wills

A. Performance Objectives

1. The student should know the legal basis of trusts.
2. The student should know how to prepare the necessary documents for establishing a trust.
3. The student should know the legal requisites for a valid will.
4. The student should be able to draft and have executed a simple will.

B. Units of Instruction

1. Purpose and Elements of Trusts
2. Trust Property
3. Classification of Trusts and Powers
4. Use of Trusts in Lieu of and in Conjunction with Wills
5. Preparation of Trust Documents
6. Analysis of the Law of Intestate Distribution
7. Testacy - Why a Will?
8. Wills
   a. Necessary Elements
   b. Modification
   c. Revocation
9. Preparation and Execution of Wills

III. Probate Procedures, Forms Required and Estate Taxes

A. Performance Objectives

1. The student should be familiar with probate procedures.
2. The student should be able to complete the forms required for probate and properly file such materials.
3. The student should be familiar with the state and federal estate tax laws and how to compute them.

B. Units of Instruction

1. Function of Probate and Role of the Personal Representative
   a. Opening an Estate
   b. Petition for Letters
2. Introduction to the Federal Estate and Gift Tax Structure
   a. Property Includable in Gross Estate
   b. Valuation of Assets
   c. What Expenses Are Deductible
   d. Marital Deduction
   e. Application of the Unified Credit
3. Application of the Federal Estate and Gift Tax System
   a. Form 706
   b. Instruction in Preparation of Return - Background Information
   c. The Marital Deduction - Special Problems
   d. Powers of Appointment
   e. Lifetime Gifts
   f. Preparation of Sample Form 706 with Emphasis on Valuation of Trust Property
4. Preparation of Inventory and Inheritance Tax Form 600
   a. Inheritance Tax and Federal Estate Tax Compared
   b. Differing Treatment of Spouse
   c. Property Includable
   d. Preparation of Sample Return
5. First or Annual Accounting
   a. The Estate Checkbook - the Role of Proper Record Keeping
   b. The Paralegal's Role in the Administration Process
   c. Purpose of Accounting
   d. Preparation of Sample Account
6. Distribution to Beneficiaries
   a. Distribution in Kind

b. Distribution to Trusts and Minors
c. Abatement and the Problem of the Less Than Solvent Estate

IV. Instructional Methodology

A. New Material is introduced by lecture
B. Students are assigned projects of completing the probate process for an estate.
C. Field trips are made to the local Recorder of Wills Office.

V. Texts and References

A. Local Probate node, if any.
B. **Smith's Review of Wills, Trusts, Probate, Administration and the Fiduciary,** West Publishing Company, St. Paul, Minnesota.
C. Shaffer, **The Planning and drafting of Wills and Trusts,** The Foundation Press, Inc., 1972.
D. Hower, **Wills, Trusts and Estate Administration - Paralegal Materials,** West Publishing Company, St. Paul, Minnesota, 1978.

LITIGATION

Hours Per Week

Class: 3

Course Description

An introduction to the process of civil and criminal litigation. Defines basic principles of pre-trial procedures which include, e.g., complaints, motions, interrogratories, bill of particulars and trial orders. Additionally includes a survey of courts and their jurisdiction, investigation of facts, settlement of lawsuits, judgements and post-trial considerations. Emphasis on drafting legal documents in each of these areas.

Major Divisions

I. Introductory Material
II. Civil Trial Procedure
III. Criminal Trial Procedure
IV. Instructional Methodology
V. Texts and References

I. Introductory Material

A. Performance Objectives

1. The student should be able to describe the role of the legal assistant in the litigation process.
2. The student should be able to determine whether evidence is admissible in court.
3. The student should be able to diagram the court system and define jurisdictional limits.

B. Units of Instruction

1. Role of the Legal Assistant
   a. Investigation & Interviewing
   b. Preparing Pleadings
   c. At trial
   d. Post-trial
2. Evidence
   a. Relevancy
   b. Admissibility
   c. Hearsay evidence
3. Courts and Their Jurisdiction
   a. State
   b. Federal
   c. Service of Process

II. Civil Trial Procedure

A. Performance Objectives

1. The student should be able to assist in the investigation of the case.
2. The student should be able to prepare the necessary pleadings.
3. The student should be able to assist in the Discovery Process.
4. The student should be able to assist at the trail
5. The student should be able to draft post-trial motions and appeals.

B. Units of Instruction

1. Investigation
   a. Interviewing Witnesses
   b. Photogtaphs
   c. Compiling Medical Information
   d. Compiling Financial Information

2. Pleadings
   a. Complaint
   b. Answer
   c. Motions
3. Discovery
   a. Interrogatories
      (1) Drafting
      (2) Answering
   b. Depositions
   c. Admissions
   d. Production of Documents
4. Trial
   a. Trial notebook
   b. Exhibits
   c. Voir Dire Questions
   d. Assistance During Trial
5. Post trial
   a. Order for Judgment
   b. Post-trial Motions
   c. Appeal Procedure
   d. Default Judgment
   e. Confession Judgment
   f. Billing

III. Criminal Trial Procedure

A. Performance Objectives

1. The student should be able to assist in the investigation of the case.
2. The student should be able to draft the necessary pre-trial motions.
3. The student should be able to assist in the Discovery Process.
4. The student should be able to draft post-trial motions and assist in filing an appeal.

B. Units of Instruction

1. Investigation
   a. Interviewing Witnesses
   b. Compiling Information Known to Police.
   c. Investigating the Scene of the Accident
2. Pre-trial Motions
   a. Legality of Arrest and Search
   b. Motion to Suppress
   c. Motion to Dismiss
   d. Bill of Particulars
3. Discovery
   a. Brady Material
4. Post-trial
   a. Motion for New Trail
   b. Writ of Habeas Corpus
   c. Other Post-conviction Relief
   d. Appeals

IV. Instructional Methodology

A. New material is introduced by lecture.
B. Students practice drafting various documents.
C. Field trips should be made to the local courthouse to watch civil and criminal trials.
C. Students should role-play interview situations.

V. Texts and References

A. Blanchard, **Litigation and Trial Practice for the Legal Paraprofessional,** West Publishing Company, St. Paul, Minnesota, 1976.
B. Laden & Stern, **Institute for Paralegal Training - Introduction to Civil Litigation,** West Publishing Company, St. Paul, Minnesota, 1977.

CAREER ELECTIVES

ADMINISTRATIVE LAW

Hours Per Week

Class: 3

Course Description

This course is to enable the student to perceive the concomitant development of administrative law with the growth of public administration; perceive the administration of justice in public administration; delineate between "due process" in criminal justice and civil justice; understand the legal as-

sistant's roles in grievance procedures and hearings. The student should be able to discuss the growth of government intervention in social welfare; describe the evolution of the administrative justice system; describe the effect of federalism and the power of the national government on administrative law in the various states; describe the development and role of hearing officers as administrative judges; describe judicial review as the court of last resort.

Major Divisions

I. Administrative Proceedings
II. Basic Administrative Law History
III. Administration of Social Welfare Laws
IV. Scope of Judicial Review
V. Instructional Methodology
VI. Texts and References

I. Administrative Proceedings

A. Performance Objectives

The student should be able to define, describe and make comparisons concerning:

a. Adversary proceedings
b. Constitutions, statutes, compacts, charters, ordinances, and resolutions
c. Rules and regulations promulgated by administrative agencies
d. Decisions, directives and orders issued by administrative officers
e. Investigations and hearings

B. Units of Instruction

1. Development of Administrative Law with the Growth of Public Administration.
2. Brief History of Administrative Law
3. Administration of Justice in Public Administration.
4. Roles in Grievance Procedures and Hearings
5. Delineation Between Due Process in Criminal Justice and Civil Justice.

II. Basic Administrative Law History

A. Performance Objectives

1. The student should understand and be able to trace the growth, changes and theory of administrative law so that the history of modern administrative law and its place in legal functions is clear.
2. The student should be able to name the important milestones in administrative law development.

B. Units of Instruction

1. The Various Kinds of Legal Administration, Beginning with Monarchies
2. Constitutional Law.
   a. Magna Charta
   b. Social Contact
   c. U.S. Constitution and Bill of Rights
3. The Place of Law in an Organized Society.
   a. Supremacy of Law
4. Major Procedures in Administrative Law
   a. Writs of Ultra Vires and Mandamus
   b. Exhaustion of Administrative Remedies

III. Administration of Social Welfare Laws

A. Performance Objectives

1. The student should be able to explain what services are available in the agency.
2. The student should know what forms are necessary and how to fill them out for various social welfare complaints.
3. The student should know what representation can be made and by whom for each agency.

B. Units of Instruction

1. Taking a Case Before
   a. Social Security Administration
   b. National Labor Relations Board
   c. Civil Rights Agencies
   d. Unemployment Agencies
   e. Workmen's Compensation Board

2. The Administrative Procedure Act of 1946.

IV. Scope of Judicial Review

A. Performance Objectives

1. The student should be able to identify circumstances in which judicial review of agency decisions is appropriate.
2. The student should be able to describe the procedure for taking an appeal to the court.

B. Units of Instruction

1. Scope of Judicial Review
2. Supreme Court Decisions Upholding Judicial Review
3. Determination of Questions of Law and Questions of Fact
4. Status of Mediation and Arbitration decisions
5. Procedure for Appealing an Agency Decision to the Court.

V. Instructional Methodology

A. New material is introduced by lecture.
B. Students attend agency hearings, if possible.
C. Students practice preparing appropriate forms.

VI. Texts and References

A. Uveges, **The Dimensions of Public Administration: Introductory Readings,** Holbrook Press.
B. Davis, **Administrative Law and Government,** West Publishing Company, St. Paul, Minnesota.

CORPORATIONS AND COMMERCIAL LAW

Hours Per Week

Class: 3

Course Description

This course teaches students a basic understanding of various business forms, especially the corporation and conveys a general understanding of laws governing businesses and business transactions. Students specifically study the laws of the Uniform Commercial Code. They learn to draw up articles of incorporation, minutes, by-laws and other corporate documents. In addition, they draft documents pertaining to other businesses, such as partnership agreements, promissory notes, security agreements and sales contracts.

Major Divisions

I. Laws Governing Business and Business Transactions
II. Law of the Uniform Commercial Code
III. Drawing Up Legal Documents for Business Transactions
IV. Instructional Methodology
V. Texts & References

I. Laws Governing Business and Business Transactions

A. Performance Objectives

1. The student should be able to describe and apply the basic principles of contract law.
2. The student should be able to describe and apply the basic concepts of agency and partnership law.
3. The student should be able to describe and apply the basic concepts of corporate law.

B. Units of Instruction

1. Contract Law
   a. Offer
   b. Acceptance
   c. Consideration
   d. Third Party Contracts
   e. Performance of Contracts
   f. Discharge of Contracts
2. Agency Law
   a. Creation of the Agency Relationship
   b. Duties of Principal and Agent to Each Other
   c. Contracts with Third Parties
   d. Tort Liability of Principal for Agent

3. Partnership Law
   a. Formation
   b. Operation
   c. Dissolution
   d. The Limited Partnership
4. Corporation Law
   a. Formation
   b Directors' and Officers' Functions
   c. Shareholders' Rights
   d. Dissolution, Merger, Consolidation
   e. The Closely-held Corporation

II. Law of the Uniform Commercial Code

A. Performance Objectives

1. The student should be able to describe and apply legal principles related to commercial paper.
2. The student should be able to describe and apply legal principles related to secured transactions.
3. The student should be able to describe and apply the legal principles related to the sale of goods.

B. Units of Instruction

1. Commercial Paper
   a. Types and Definitions
   b. Creation
   c. Negotiability
   d. Holder in Due Course
   e. Banks and Collections
2. Secured Transactions
   a. Types and Definitions
   b. Creation and Attachment
   c. Perfection
   d. Priorities
3. Sale of Goods
   a. Differences from Basic Contract Law
   b. Warranties and Product Liability

III. Drawing Up Legal Documents for Business Transactions

A. Performance Objectives

1. The student should be able to draft documents in each of the areas.
2. The student should be able to find the requirements for proper execution and filing of the various documents.

B. Units of Instruction

1. Contracts
2. Power of Attorney
3. Partnership Agreement
4. Articles of Incorporation, By-laws, Corporate Minutes
5. Notes, Checks, Drafts
6. Security Agreements, Financing Statements

IV. Instructional Methodology

A. New material is introduced by lecture.
B. Local forms and examples are distributed to students.
C. Problems in drawing partnership or corporation papers are presented to students in a small-group structure for their solutions.
D. Field trips are planned to local filing offices: Recorder of Deeds, Secretary of State's Office.

V. Texts and References

A. Uniform Commercial Code
B. Uniform Partnership Act
C. Local Corporation Statute
D. Deer, et al., **The Lawyers Basic Corporate Practice Manual,** Student Edition, ALI-ABA.
E. Dawson, **Mounce's Legal Forms Workbook,** William C. Brown Co. Publishers, Dubuque, Iowa, 1975.
F. Laden & Kline, **Institute for Paralegal Training - Introduction to Corporate Law,** West Publishing Company, St. Paul, Minnesota, 1978.
G. Moye, **The Law of Business Organizations - Paralegal Materials,** West Publishing Company, St. Paul, Minnesota, 1974.

CRIMINAL LAW

Hours Per Week

Class: 3

Course Description

This course is designed to provide students with an understanding of the criminal justice system. Students will be exposed to both substantive and procedural aspects of criminal law. Course objectives are to provide legal assistant students with a working knowledge of the nature of different crimes and the potential charges and penalties involved. The student should maintain constant awareness that the burden of proof is upon the prosecution and that the presumption of innocence lies with the accused.

Major Divisions

I. What is Law?/What is a Crime?
II. The Criminal Justice Process
III. The Trial
IV. Instructional Methodology
V. Texts & References

I. What is Law?/What is a Crime?

A. Performance Objectives

1. The student should have an understanding of law as a means of social control and as a social institution.
2. The student should be able to distinguish civil law from criminal law.
3. The student should know the components of the state penal code regarding the elements of a crime, classification of a crime, the penalties for crimes and the objectives of punishment.

B. Units of Instruction

1. Law as a Means of Social Control and as a Social Institution.
2. Kinds of Law
   a. Civil
   b. Criminal
3. State Penal Code
   a. Elements of crime
      (1) Crimes Against the Person
      (2) Crimes Against Property
      (3) Miscellaneous Crimes
   b. Classification of Crimes
   c. Penalties and the Objectives of Punishment

II. The Criminal Justice Process

A. Performance Objectives

1. The student should be able to outline and discuss basic concepts of the criminal law relevant to our adversary system.
2. The student should be able to diagram the state and federal criminal court systems.
3. He should know the components of a lawful search and seizure and what constitutes an admissible confession.
4. The student should be familiar with the procedural aspects of suppressing evidence.
5. The student should have a thorough knowledge of equal protection, the right to effective representation of counsel and waiver of counsel.

B. Units of Instruction

1. The Criminal Courts, State and Federal
2. Search and Seizure
3. Admissibility of Interrogations and Confessions
4. Procedural Aspects of Suppressing Evidence
5. Use of Informers; Entrapment
6. Right to Equal Protection
7. Right to Effective Representation by Counsel

III. The Trial

A. Performance Objectives

1. The student should be able to define an arrest and be able to discuss the procedure of an arrest by warrant.
2. The student should be familiar with pre-trial procedure.
3. The student should recognize the constitutional safeguards in a trial.
4. The student should understand the plea bargaining process.
5. The student should know the problems involved in the conduct of trial proceedings, such as the defendant's competency to stand trial.

6. The student should be able to discuss the defendant's rights against double jeopardy.
7. The student should be able to describe the range of punishments involved in sentencing.

B. Units of Instruction

1. Procedure Prior to Trial
   a. Appearance Before a Judicial Officer After Arrest
   b. Preliminary Hearing
   c. Grand Jury Proceedings
2. Constitutional Safeguards
   a. Right to Counsel
   b. Right to Speedy Trial
   c. Right to Impartial Jury
   d. Right to Fair Trial
   e. Confrontation of Witnesses and Compulsory Process
   f. Right Against Self-incrimination
3. Problems in the Conduct of Proceedings
4. Right Against Double Jeopardy
5. Sentencing

IV. Instructional Methodology

A. New material is introduced by lecture.
B. Students conduct a mock criminal trial.
C. Students participate in class discussion.

V. Texts and References

A. Loewy, **Criminal Law** (Nutshell Series), West Publishing Company, St. Paul, Minnesota, 1975.
B. Heymann & Kenety, **The Murder Trial of Wilbur Jackson: A Homicide in the Family,** West Publishing Company, St. Paul, Minnesota, 1975.
C. Rossen & Sogg, **Smith's Review of Criminal Law,** West Publishing Company, St. Paul, Minnesota, 1976.
D. State Criminal Code
E. State Case Law

FAMILY LAW

Hours per Week

Class: 3

Course Description

This course is designed to teach the student to handle client interviews and to draw up necessary pleadings relative to the general practice of law in relationship to the family unit. The student should learn and understand the laws relating to marriage, divorce, annulment, custody and support, adoption, name change, guardianship, paternity and be able to draw up the necessary written pleadings and to do the necessary research pertaining to these aspects of family law.

Major Divisions

I. Laws Pertaining to the Family
II. Elements of Family Law
III. Forms Used in Handling Domestic Cases
IV. Instructional Methodology
V. Texts and References

I. Laws Pertaining to the Family

A. Performance Objectives

1. The student should be able to describe the historical background of legal concepts affecting the family.
2. The student should be able to define intra-family immunity.
3. The student should be able to diagram the Family Court Structure.

B. Units of Instruction

1. History of Family Law
2. Intra-family Immunity
   a. Husband - Wife
   b. Parent - Child
3. Married Women's Acts
4. The Family Court System
   a. Jurisdiction
   b. Constitutional Safeguards

II. Elements of Family Law

A. Performance Objectives

1. The student should be able to plan an interview or complete research on any of the various family law areas.
2. The student should understand the substantive law affecting the family.

B. Units of Instruction

1. Marriage
   a. Formal
   b. Common Law
2. Separation
   a. Divorce
   b. Annulment
   c. Alimony
   d. Property Division
3. Custody
   a. On Divorce
   b. Child Support - Uniform Reciprocal Enforcement of Support Act
   c. Termination of Parental Rights
   d. Adoption
   e. Paternity
4. Change of Name
5. Juvenile Problems
   a. Neglect
   b. Abuse
   c. Delinquency

III. Forms Used in Handling Domestic Cases

A. Performance Objectives

1. The student should be able to draft appropriate documents and Pleadings in family law situations.
2. The student should be able to properly execute and file such documents.

B. Units of Instruction

1. Ante-nuptial Agreements
2. Separation Agreement
3. Divorce Pleadings
4. Annulment Pleadings
5. Adoption Pleadings
6. Termination of Parental Rights Pleadings
7. Support Pleadings
8. Change of Name Pleadings

IV. Instructional Methodology

A. New material is introduced by lecture.
B. Students practice drafting various forms.
C. Field trips to family court should be planned if permitted by the court.
D. Student discussion should be encouraged.

V. Texts and References

A. Statsky, **Domestic Relations: Law and Skills,** West Publishing Company, St. Paul, Minnesota, 1978
B. State Statutes and cases
C. **Family Law in a Nutshell,** West Publishing Company, St. Paul, Minnesota.

REAL PROPERTY LAW

Hours per Week

Class: 3

Course Description

This course is to provide students with the basic concepts of the law of real property enabling them to perform duties in a legal office. Upon completion of this course, the successful student will be able to prepare leases, purchase and sales agreements, options, easements, and deeds. The student will be able to complete title searches and understand the closing procedures. Also upon completion of this course, the successful student will understand mortgages, mortgage closing procedures and be able to prepare mortgages. The student will understand foreclosures, summary process actions (evictions), condominiums and zoning.

Major Divisions

I. Basic Concept of Real Property Law
II. Title Searches
III. Closing Procedures
IV. Instructional Methodology
V. Texts and References

I. Basic Concepts of Real Property

A. Performance Objectives

1. The student should be able to describe the historical background of real property law.

2. The student should be able to explain the basic laws of real property.
3. The student should be able to draft appropriate documents.

B. Units of Instruction

1. Historical Background
2. Estates in land
   a. Fee Simple
   b. Fee Tail
   c. Life Estate
   d. Estate for Years
   e. Conditional Estates
3. Marital Estates
   a. Dower
   b. Courtesy
   c. Modern Options
4. Concurrent Ownership
   a. Joint Tenancy
   b. Tenancy in Common
   c. Tenancy by the Entirety
   d. Severence of Joint Ownership
   e. Partition
5. Contract of Sale
   a. Writing
   b. Specific Performance
   c. Marketable Title
6. Transfer by Deed
   a. Parts of a Deed
   b. Delivery
   c. Types of Covenants
      (1) Quitclaim
      (2) Special Warranty
      (3) General Warranty
7. Adverse Possession
8. Mortgages
   a. FHA
   b. VA
   c. Conventional
   d. Purchase Money Mortgage
   e. Second Mortgage
   f. Recording
   g. Satisfaction
   h. Foreclosure
9. Easements
   a. Types
   b. Effect on Property
10. Landlord-Tenant
   a. Landlord's Rights & Responsibilities
   b. Tenant's Rights & Responsibilities
   c. Suit for Back Rent
   d. Enforcing Tenant's Rights
11. Drafting and Recording
   a. Contract of Sale
   b. Deed
   c. Mortgage
   d. Lease Agreement
   e. Release
   f. Easements

Title Search

A. Performance Objectives
   1. The student should be able to complete a title search under supervision.
   2. The student should be able to identify possible defects in the title.

B. Units of instruction will vary somewhat depending upon title search method in each state.
   1. Recording Acts
      a. Types of Statutes
      b. Record Notice
         (1) Wild Deeds
         (2) Late Recorded deeds
         (3) Early recorded deeds
      c. Inquiry Notice
   2. Reading Survey Plats
   3. Chain of Title
      a. Derivation Clause
      b. Grantor-Grantee Index
   4. Out Conveyances
      a. Deeds
      b. Mortgages
   5. Liens
      a. Federal Tax

b. UCC
c. Judgments
d. Mechanics
e. Miscellaneous other liens

6. County Taxes

III. Closing Procedures

A. Performance Objectives

1. The student should be able to prepare settlement sheets.
2. The student should be able to assemble all documents necessary for the closing.

B. Units of Instruction

1. Settlement Sheets
   a. Real Estate Settlement Procedures Act.
   b. Allocation of Costs to Buyer and Seller. Will Vary
   c. Computations.
2. Documents will vary with Local Customs.
   a. Deed
   b. Mortgage and Mortgage Note
   c. Termite Inspection letter
   d. Heater Inspection letter
   e. Settlement Sheets

IV. Instructional Methodology

A. New material is introduced by lecture.
B. Students practice preparation of documents and settlement sheets.
C. Students actually complete a title search at the courthouse.
D. Guest lecturers from banks, etc. are invited to explain mortgage applications, lending, procedures, foreclosures, etc.

V. Texts and References

A. Laden and Bellavance, **Institute for Paralegal Training - Introduction to Real Estate Law,** West Publishing Company, St. Paul, Minnesota, 1978
B. Kratovil, **Real Estate Law,** Prentice - Hall, Inc. Englewood Cliffs, 1975.
C. **Real Property in a Nutshell,** West Publishing Company, St. Paul, Minnesota.
D. Ring, **Real Estate, Principles & Practices,** Prentice - Hall, Inc., Englewood Cliffs, 1972.
E. Jorgensen, **Successful Real Estate Sales Agreements,** Canfield Press, New York, 1976.

TORT AND INSURANCE LAW

Hours Per Week

Class: 3

Course Description

This course prepares the student to assist attorneys and corporations in tort and insurance law. The course covers the primary legal principles of tort and insurance law as well as the proper procedures for investigating such cases. The course includes intentional torts, negligence, strict liability, fire and liability insurance and workmen's compensation claims.

Major Divisions

I. Elements of Tort Law
II. Elements of Insurance Law
III. Case Investigation
IV. Instructional Methodology
V. Texts and References

I. Elements of Tort Law

A. Performance Objectives

1. The student should be able to explain the elements of intentional torts and defenses to these.
2. The student should be able to define the elements of a negligence cause of action and defenses such as contributory negligence or assumption of the risk.
3. The student should be able to explain the concept of strict liability.
4. The student should be able to define the responsibilities associated with owners and occupiers of land.
5. The student should be able to explain the various theories of products liability.

6. The student should be able to explain the various types of immunity from tort liability.
7. The student should be able to describe the various forms of damages in tort actions.

B. Units of Instruction

1. Elements of Intentional Torts
   a. Intent
   b. Assault
   c. Battery
   d. Intentional Infliction of Emotional Distress
   e. False Imprisonment
   f. Trespass to Real Property
   g. Trespass to Chattels
   h. Conversion
2. Defenses to Intentional Torts
3. Negligence
   a. Elements of a Negligence Cause of Action
   b. Standard of Care
   c. Negligence Per Se
   d. Proximate Cause
   e. Vicarious Liability
   f. Res Ipsa Loquitur
4. Defenses to Negligence
   a. Contributory Negligence
   b. Last Clear Chance
   c. Assumption of the Risk
   d. Comparative Negligence
5. Liability Without Fault
   a. Animals
   b. Ultrahazardous Activities
   c. Defenses
6. Owners and Occupiers of Land
   a. Trespasser
   b. Licensee
   c. Invitee
   d. Attractive Nuisance Theory
7. Products Liability
   a. Negligence
   b. Warranty
   c. Strict Liability - 402A of Restatement 2nd of Torts
8. Immunity
   a. Intra-family
   b. Charitable
   c. Governmental
9. Damages
   a. Nominal
   b. Compensatory
   c. Punitive
   d. Wrongful Death vs. Survival Statute

II. Elements of Insurance Law

A. Performance Objectives

1. The student should be able to read and analyze an automobile insurance policy.
2. The student should be able to read and analyze a basic fire insurance policy.
3. The student should be able to explain the provisions of the local workmen's compensation statute.

B. Units of Instruction

1. Automobile Insurance Policy
   a. "Family Auto Policy" as Contrasted with New Readable Policy.
   b. Case Study of Sample Fact Situation
   c. Accident Investigation
2. Basic Fire Insurance Policy
   a. New York Standard 165-line Policy
   b. Endorsements Which Extend Coverage
   c. Investigation of Fire Loss Situations
3. Workmen's Compensation Cases
   a. History of Law
   b. Local Statutory Requirements
   c. Routine and Complex Cases
   d. Forms Required
   e. Hearing and Appeals Procedure

III. Case Investigation

A. Performance Objectives

1. The student should be able to plan the investigative steps.
2. The student should be able to collect appropriate physical evidence.
3. The student should be able to gather appropriate estimates.

B. Units of Instruction

1. Witnesses
   a. Who to approach
   b. Types of approaches
2. Background Research
   a. Police Reports on Accidents
   b. Fire Marshal's Reports
   c. Advertisements
   d. Repair Estimates
3. Photographs
   a. Scene of Accident
   b. Injuries and Damages
4. Medical Information
   a. Hospital Reports
   b. Doctor's Reports
5. Lost Wages
   a. Statement from Employer
   b. Statement from Client if Self-employed
   c. Income Tax Forms
6. Client Diary
   a. Pain and Suffering
   b. Disabilities
   c. Everyday Tasks Which Client is Unable to Do

IV. Instructional Methodology

A. New material is introduced by lecture.
B. Role-playing is used to practice interview techniques.
C. Students practice drafting forms, writing request letters, etc.

V. Texts and References

A. Prosser, **Torts,** West Publishing Company, St. Paul, Minnesota, 1955
B. Kionka, **Torts: Injuries to Persons and Property** (Nutshell Series), West Publishing Company, St. Paul, Minnesota, 1977.
C. Hill, Rossen & Sogg, **Smith's Review of Torts,** West Publishing Company, St. Paul, Minnesota, 1975.
D. Bishop and Shelton, **Manual for Legal Assistants - Civil Litigation: Auto Negligence,** Institute for Continuing Legal Education, Ann Arbor, Michigan, 1976.

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APPENDIX

INTRODUCTION TO PARALEGALISM

General Course Competencies

1. Students will be able to explain to a layman or an attorney exactly what the nature and function of a paralegal is, with 100% understanding.
2. The students will be able to convince a skeptic of the need and desirability of the use of paralegals throughout the legal area.
3. Students will fully understand and be able to accurately define the role of a paralegal in the legal services delivery system.
4. Students will be able to list many ways for paralegals to assist attorneys and many functions that paralegals perform before government agencies and for legal departments of industry.
5. Students will be able to correctly identify situations which are clearly unethical or clearly ethical.
6. Students will improve and develop investigating and interviewing skills.
7. Students will improve and develop oral advocacy skills.
8. Students will be able to locate research tools in the library, and be able to recite the function of each research tool.
9. Students will be able to accurately describe the generalities of our system of civil litigation, and his/her role in civil litigation.

INTRODUCTION TO PARALEGALISM - A COMPETENCY-BASED CURRICULUM

COMPETENCY OBJECTIVE	LEARNING EXPERIENCES - TEACHING STRATEGIES	EVALUATION
1. The student will be able to explain to a lay person or an attorney exactly what the nature and function of a paralegal is, with 100% understanding.	1. Readings in Statsky, **Introduction to Paralegalism,** numerous handouts of current articles, classroom lecture-discussion, paralegal and attorney presentations in class. Viewing of two television specials on delivery of legal services.	1. Written essay exam, and oral presentation to class or in small group (self-graded)
2. The student will be able to convince a skeptic of the need and desirability of using paralegals throughout the legal arena.	2. Class lecture-discussion, role plays, socratic dialogues with instructor, in-class debates. Presentation of objections to use of paralegal through current articles. Actual discussions with neighbors, friends, hostile attorneys, etc.	2. Instructors evaluation of in class debates, essay exam question on advantages or and rationale for use of paralegals. Written report of attempts to convince others.
3. The student will understand and be able to accurately explain the role of the paralegal in the legal services delivery system.	3. Readings in Statsky, **Introduction to Paralegalism,** viewing two television specials on legal services delivery systems: **Lawers: Guilty as Charged,** and **Lawyers and the Public Interest.** Readings on prepaid legal insurance and the paralegals role. ABA committee reports and documents.	3. Essay exam questions

COMPETENCY OBJECTIVE	LEARNING EXPERIENCES - TEACHING STRATEGIES	EVALUATION
4. The student will be able to list at least 20 ways for paralegals to assist attorneys, and to list the functions that paralegals perform.	4. Readings from Statsky, **Introduction to Paralegalism,** and lecture discussion. Presentation by government official and in-hours corporate counsel. Student interview of government officials dealing with legal services.	4. Essay exam. Written report of interviews.
5. The student will be able to correctly identfy situations which are clearly unethical or clearly ethical, and to identify situations where there is a possiblity of ethical problems requiring consultation with the attorney.	5. Readings from Statsky, **Introduction to Paralegalism.** Reading from applicable portions of the ABA Code of Professional Responsibility. Hypotheticals to be analyzed in class. Study of cases on unauthorized practice, with inclass analysis and discussion. Role-plays and debates on ethical questions.	5. Essay exam questions. Identification of problem areas from hypotheticals.
6. Students will develop and improve investigating and interviewing skills.	6. Readings in Statsky, **Introduction to Paralegalism.** Numerous small group interpersonal communication exercises. Values clarification to strategies designed to promote understanding of communications skills, Demonstrations of techniques to get people to open up and talk. Investigation practicum: complete in-class simulation of investigation of a case. Interview of someone connected with legal system on the subject of paralegals. Analysis of own weaknesses and strengths.	6. Essay exam questions based on hypotheticals Written report of interviews.
7. Students will improve and develop their oral advocacy skills.	7. Readings in Statsky, **Introduction to Paralegalism.** Lecture discussion on technique and approaches. Small group experiences on oral advocacy, and in-class presentation to persuade others to adopt your point of view on a controversial issue.	7. Oral advocacy on final exam, (presentation to instructor and a panel of others). Graded on presentation to class.
8. The student will be able to locate research tools in the library, and be able to recite the function of each research tool.	8. Readings from Statsky, **Introduction to Paralegalism,** lecture discussion on resources. Publications from West, Lawyer's Coop, Shepards, **How to Use Shepards Citations.** Trip to Law Library, and talk from law librarian on various research tools and their functions and uses. Distribution of law library handbook.	8. Essay exam question on how a student would research a hypothetical research problem.
9. Students will be able to accurately describe the operations of our system of Civil Litigation, and the role of the Paralegal in that system.	9. Materials by Statsky, lecture discussion, talk from local judge handling civil cases, and trip to observe civil litigation when possible.	9. Eassay exam questions.

DEMONSTRATION COLLEGE PROGRAMS

COMMUNITY AND TECHNICAL COLLEGE
UNIVERSITY OF TOLEDO
Toledo, Ohio

LEGAL PARAPROFESSIONAL PROGRAM
ASSOCIATE OF LEGAL ASSISTANCE DEGREE

FIRST YEAR

Fall Quarter		Credits
706:190	Intro. to Paralegalism	4
706:145	Intro. to Accounting	4
706:160	Typing I	2
702:101	Social Science I	4
706:114	Data Processing Applications	4
	Total	18

Winter Quarter		Credits
706:292	Real Estate Transactions	4
706:293	Fundamentals of Taxation	4
706:	Paralegal Elective	4
702:	Humanities Elective	3-5
	Total	15-17

Spring Quarter		Credits
706:192	Estates and Probate Administration	4
706:245	Management Principles or	
706:267	Legal Office Procedures	4
706:248	Principles of Supervision	4
702:102	Social Science II	4
	Total	16

SECOND YEAR

Fall Quarter		Credits
706:290	Bus. Organization	4
706:291	Legal Research	4
702:103	Social Science III	4
702:133	Communications III	4
	Total	16

Winter Quarter		Credits
706:181	Civil and Appellate Litigation	4
706:146	Advanced Accounting Principles I	4
706:147	Intro. to Bus. Law	4
702:132	Communications II	4
	Total	16

Spring Quarter		Credits
706:294	Paralegal Ethics	2
706:298	Paralegal Internship	5
706:120	Constitutional Law and Criminal Procedures	4
	Total	11

Paralegal Electives

706:193 Social Security Law and Procedures
706:194 Procedures in Family Law
706:195 Fundamentals of Consumer Law
706:196 Litigation and Procedures in Insurance
706:197 Fundamentals of Welfare Law
706:198 Procedures in Bankruptcy

ARAPAHOE COMMUNITY COLLEGE
Littleton, Colorado

LEGAL PARAPROFESSIONAL CURRICULUM
ASSOCIATE OF LEGAL ASSISTANCE DEGREE

FIRST YEAR

Fall Quarter;	Credits
English Compositon	3
ACC 211 Acct. I or ACC 121 Basic Acct. I	3-4
*PAL 115 The legal Asst. I	3
*PAL 119 Legal Research	3
*PAL 117 Family Law I	3
	15-16

Winter Quarter	Credits
ACC 122 Basic Acct II (Paralegal Section)	3
ENG 107 Business English	3
*PAL 116 The Legal Asst II	3
REE 117 Real Estate Law	3
PAL 201 Litigation I	3
Electives	3
	18

Spring Quarter	Credits
BUS 108 Business Comm.	3
MAN 225 Management or MAN 235 Effective Supervision	3 4
PAL 202 Litigation II	3
PAL 225 Administrative Law	3
**Electives	3
	15-16

SECOND YEAR

Fall Quarter	Credits
BUS 201 Business Law I	3
PAL 206 Corporations I	2
PAL 211 Probate I	3
SEC 202 Production Typing (Paralegal Sect.)	5
	13

Winter Quarter	Credits
SEC 128 Records Management	3
*SEC 215 Office Procedures (Paralegal Sec.)	4
Humanities	4
**Electives	3
	14

Spring Quarter	Credits
ECO 111 Economics I or ECO 112 Economics II	5
PAL 290-295 Coop. Work Experience	3
Speech	3
**Electives	4
	15

*Core courses to be taken first

** Each student should plan electives with his/her advisor. Nine or eleven hours of electives must be chosen from the following and/or PAL courses: ACC 126, LEA 150, SEC 128

Typing competency is required for this degree. Students must take or challenge SEC 113. Three hours of Physical Education (activity courses only) are required, in addition to the 90 quarter hour program, if the student is under 21 years of age.

NORTHWEST MISSISSIPPI JUNIOR COLLEGE
Senatobia, Mississippi

LEGAL PARAPROFESSIONAL CURRICULUM
ASSOCIATE OF BUSINESS DEGREE

The student enrolled in this curriculum will be offered the opportunity to become a technically qualified assistant employed in law related occupations including public and private law practice and/or corporate or government law related activities. An Associate of Business degree is awarded upon completion.

FIRST YEAR

First Semester	Credits	Second Semester	Credits
ENG 1113, Composition	3	ENG 1123, Composition	3
ACC 1213, Prin. of Account I	3	ACC 1223, Prin. of Accounting II	3
BAD 1313, Bus. Mathematics	3	EPY 1513, Gen. Psychology	3
PLA 1113, Intro. to Law	3	PLA 1123, Legal Bibliography	3
BAD 2413, Business Law I	3	BAD 2423, Business Law II	3
TOTAL	15	TOTAL	15

SECOND YEAR

Third Semester	Credits	Fourth Semester	Credits
PLA 2113, Miss. Legal Systems I	3	PLA Miss. Legal Systems II	3
PLA 2133, Library Management	3	PLA 2212, Legal Writing	2
PLA 2143, Legal Accounting	3	PLA 2222, Mech. of Property Transactions	2
PLA 2213, Abstracting & Public Records	3	PLA 2223, Law Office Management	3
Electives	6	PLA 2122, The Legal Ass't. in the Legal Profession	2
TOTAL	18	Electives	6
		TOTAL	18

MANCHESTER COMMUNITY COLLEGE
Manchester, Connecticut

LEGAL PARAPROFESSIONAL CURRICULUM
ASSOCIATE IN SCIENCE DEGREE

The Legal Assistant program is a two-year program of study leading to the Associate in Science degree upon graduation.

Legal assistants may be called upon to conduct research and prepare briefs; to act as librarians, collect bills and answer dockets; to perform office management and administrative tasks such as bookkeeping and accounting. They may serve and file papers, prepare tax statements, prepare and draft pleadings, deeds, forms, wills, trusts, and other matters connected with estates.

Individual characteristics desirable for effectiveness as a legal assistant include an ability to question and think critically, general familiarity with accounting principles, high level of language skills and comprehension, ability and willingness to accept responsibility, thorough and conscientious concern for detail, and pride in accomplishment.

Graduates of the program can study an additional two years toward a bachelor's degree as a legal administrator, the next level of advancement. These additional two years provide the intellectual and professional growth necessary for the assumption of major administrative responsibility within the law office.

FIRST YEAR

First Semester	Credits	Second Semester	Credits
Accounting 101	4	Legal 101	3
English 111	4	Political Science 112	3
Legal 102	3	Secretarial Science 232*	3
Political Science 111	3	Elective, science	3-4
Elective, social science**	3	Elective, social science**	15-16
	16		

SECOND YEAR

Third Semester	Credits	Fourth Semester	Credits
Legal 201	3	Legal 202	3
Legal 211	3	Philosophy 203	3
Legal 221	3	Public Service 202	3
Legal 241	3	Legal 242	3
Elective***	3	Internship or elective***	15
	15		

* For Legal Assistant students only, there is no prerequisite for this course.
** Sociology 101 and 102 or Psychology 111 and 112 are recommended
***Liberal arts and sciences electives are recommended

KAPIOLANI COMMUNITY COLLEGE
Honolulu, Hawaii

LEGAL PARAPROFESSIONAL CURRICULUM
ASSOCIATE IN SCIENCE DEGREE

Legal costs have dramatically increased. The emerging field of the legal paraprofessional (paralegal) is one of the major means of making legal services more widespread, efficient, and available to all. The legal paraprofessional is someone who is specially trained to work with the supervision of an attorney to assist in the practice of law. The legal paraprofessional fulfills a role that is roughly analogous to the role of the paramedic in the medical field. Program graduates will be qualified to work in private law firms, corporations, public agencies and public law firms.

FIRST YEAR

First Semester	Credits	Second Semester	Credits
*Law 101, Role of the Legal Paraprofessional	3	*Law 102, Legal Research	3
Law 111, Litigation (highly recommended)	3	Law 193, Cooperative Education	3
English 100, Expository Writing	3	Speech 141, Effective Oral Communication	3
Social Science Elective	3	Humanities Elective	3
Mathematics Elective	3	Natural Science Elective	3
Total	15	Total	15

SECOND YEAR

Third Semester	Credits	Fourth Semester	Credits
*Law 201, Law Office Management	3	*Law 202, Legal Interviewing, Counseling, and Negotiating	3
*Law 203, Legal Writing	3	Law 293, Cooperative Education	3
Accounting Elective	3	DPRO 130, Intro. to Data Processing	3
Law 121, General Business Practice	3	Law 131, Property Law	3
Law 126, Taxation	3	Law 136, Tort and Insurance Law	3
Total	15	Total	15

*Required core courses

WESLEY COLLEGE
Dover, Delaware

LEGAL PARAPROFESSIONAL CURRICULUM

First Semester	
English Composition	3
*Intro to Paralegalism and Law Office Procedures	2
*Legal Research	3
*Tort Law	3
*Business Law I	3
	14

Second Semester	
*Criminal Law	3
*Legal Writing	2
*Business Law II	3
Paralegal Co-op	1
Physical Education	1
Elective	3
*Real Estate	3
	16

Third Semester	
*Estate Probate	3
*Litigation	3
American Federal Govt. or State & Local Govt.	3
Accounting I	3
Elective	3
Physical Education	1
Paralegal Co-op	1
	17

Fourth Semester	
*Family Law	2
*Legal Research Seminar	3
Paralegal Elective	3
Religion	3
Elective	3
Elective	3
	17

The student must take sufficient elective credits to total 64 semester hours. One elective course must be from the Division of Social Sciences and one elective course must be from the Business Division.

*Starred courses indicate requirements for the Certificate in Paralegal Studies.

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ASSOCIATIONS OF LEGAL ASSISTANTS

National Federation of Paralegal Associations
Ben Franklin Station
P.O. Box 14103
Washington, D.C. 20044

National Paralegal Institute
2000 P Street, N.W.
Washington, D.C. 22036

National Capital Area Paralegal Association
P.O. Box 19505
Washington, D.C. 20036

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3005 E. Skelly Drive
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